

SPEAHRhead¹¹

BULLETIN of the SOCIETY FOR THE PROTECTION OF EAST ASIANS' HUMAN RIGHTS

Feature Issue: TIBET

China and Tibet: A Thirty-Year Assessment

Life has not been easy for Tibetans, whose homeland has been occupied by the Chinese since the 1950s. However, recent political and social reforms give some hope to all but the most intransigent Sinophobes.

Page 5

By June Teufel Dreyer

Seventeen Years in a Chinese Prison

In an autobiographical account that reveals much about Chinese and Tibetan attitudes, the Dalai Lama's personal physician describes his persecution at the hands of the Chinese Communists.

Page 10

By Tenzin Chodrak

Taiwan's ruling Chinese Nationalist Party lashes out at its critics at home and abroad, but in doing so carefully avoids discussing the issue those critics have raised—namely, the sorry state of human rights in “Free China.”

EDITORIAL: The Kuomintang and the Truth

Page 3

How China's most famous democratic activist—the man who coined the phrase “fifth modernization”—defended himself in court before being sentenced to 15 years imprisonment.

The Trial of Wei Jingsheng: Part Two

Page 26

READERS' LETTERS

Page 4

- From U.S. Congressman Stephan Solarz, Chairman, Subcommittee on Asian and Pacific Affairs

- From an anonymous American teacher in China, on how the government restricts meaningful contact between Chinese and foreigners

UNIVERSAL DECLARATION OF HUMAN RIGHTS

On December 10, 1948, the General Assembly of the United Nations proclaimed this declaration as "a common standard of achievement for all peoples and all nations."

Article 1. All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2. Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3. Everyone has the right to life, liberty and security of person.

Article 4. No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6. Everyone has the right to recognition everywhere as a person before the law.

Article 7. All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8. Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9. No one shall be subjected to arbitrary arrest, detention or exile.

Article 10. Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11. (1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

(2) No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12. No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13. (1) Everyone has the right to freedom of movement and residence within the borders of each state.

(2) Everyone has the right to leave any country,

including his own, and to return to his country.

Article 14. (1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.

(2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15. (1) Everyone has the right to a nationality.

(2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16. (1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

(2) Marriage shall be entered into only with the free and full consent of the intending spouses.

(3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17. (1) Everyone has the right to own property alone as well as in association with others.

(2) No one shall be arbitrarily deprived of his property.

Article 18. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19. Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20. (1) Everyone has the right to freedom of peaceful assembly and association.

(2) No one may be compelled to belong to an association.

Article 21. (1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

(2) Everyone has the right of equal access to public service in his country.

(3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22. Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23. (1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.

(2) Everyone, without any discrimination, has the right to equal pay for equal work.

(3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

(4) Everyone has the right to form and to join trade unions for the protection of his interests.

Article 24. Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25. (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

(2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26. (1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

(2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

(3) Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27. (1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

(2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Article 28. Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29. (1) Everyone has duties to the community in which alone the free and full development of his personality is possible.

(2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

(3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30. Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

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EDITORIAL: The KMT and the Truth

We do not envy the Chinese Nationalists. Their impossible dream world is crumbling. Their last hope was Ronald Reagan, their "friend" during the 1980 election campaign. Faced with the realities of office, he finds that he must deal with the real world and the real China, not a "Republic of China" which can never be.

To be sure, the Chinese Nationalists have not done as bad a job of governing as many hostile observers claim. Taiwan's economy is the envy of most of Asia--or should be. The Taiwanese are a healthy and educated people. Indeed, there are only a few sectors of national life where the Chinese nationalists have failed in their modernization efforts. One of these sectors is politics. In contrast to the island's advanced economic system and sophisticated cultural life, politically Taiwan remains a primitive place. Until now ruled by a hereditary dynasty dominated by a feudal mentality, the imbalance between Taiwan's advanced economy and backward political system can only remind one of Iran under the Shah. We hope that the Iranian scenario will not have to be played out in Taiwan, but if it is not this will be no thanks to the ruling Kuomintang.

The Chinese Nationalists can be articulate defenders of their position--when the facts are on their side (as they sometimes are). Taiwan's diplomats and the Government Information Office do a more than competent job of pointing out the good things about Taiwan. However, if the facts are not on their side, they have a problem. When that is the case (and it usually is when politics is involved) they go to great lengths to avoid the real issues and the facts, and instead engage in the transparent practice of smearing the character of those who call attention to embarrassing facts.

Take the case of Professor Ch'en Wen-ch'eng, for example. After the distinguished mathematician from Carnegie-Mellon University returned to Taiwan, he was unceremoniously detained for questioning by the notorious Taiwan Garrison Command. Although he apparently was "released," he was never again seen alive by his family. Hardly anyone believed the government's contention that he had either died in an accident or committed suicide, for the official accounts of Dr. Ch'en's final hours contain too many internal contradictions to support either version. The only way the Kuomintang could have cleared itself of suspicion was to permit an independent autopsy. (Continued next page)

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Letters from Readers

On May 19, SPEAHR's James Seymour testified before the U.S. House Subcommittee on Asian and Pacific Affairs. Following the hearings, the Chinese Nationalists launched a media campaign against Seymour. They lifted some of Chairman Stephen Solarz's remarks out of context, and simply invented others. According to one headline in the Taiwan press, "Solarz says Seymour Lies for the Chinese Communists." Solarz, of course, had said nothing of the sort, and the articles prompted him to write the letter which is reproduced below. (Seymour's prepared statement appeared in SPEAHRhead 10. Statements of all witnesses, and the transcript of the question-and-answer session, have been published by the Subcommittee.)

Dear Jim:

I want to thank you for your testimony on the human rights situation on Taiwan before the Subcommittee on Asian and Pacific Affairs on May 19, 1981.

It has been brought to my attention that some newspapers on Taiwan have used the frank exchange of views that we had in order to discredit people who try to improve the human rights of the people on Taiwan.

In fact, I favor all constructive efforts to correct human rights abuses in the PRC or on Taiwan by you, Amnesty International, the Society for the Protection of East Asian's Human Rights or any other responsible people.

When I was on Taiwan in January with Congressman Pritchard, we addressed our concern for political and religious freedom to the authorities on Taiwan. I have sent appeals for clemency for Reverend Kao [Chun-ming, leader of the Taiwan Presbyterian Church] and others by letter to General Wang Ching-hsu.

Anyone who thinks I do not put the highest value on such efforts to improve human rights is badly mistaken.

Sincerely,

Steve

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EDITORIAL (continued from previous page)

However, when an American colleague of Chen made the suggestion, he was subjected to considerable abuse in the government-controlled Taiwan press. For example, Lien-ho Pao (6a) said that he, like many other American academics, was "uncultured," "shallow," "ignorant," and "arrogant."

When the KMT behaves in this manner, it is a sign that it knows that the facts are on the side of its critics.

Occasionally SPEAHR comes in for similar treatment, and we consider it testimony that we are doing our job. When the distinguished Hong Kong news magazine Asiaweek was inundated with "spontaneous" letters from all over Asia attacking SPEAHR's James Seymour, we could only smile with satisfaction.

Characteristically, after Seymour's May 19 Congressional testimony (see SPEAHRhead 10), the Chinese Nationalists became even more abusive. Under vilifying headlines, articles described him as a "social misfit" and "marginal man in the sociological sense." He was also portrayed as a failed scholar who "lies for the Chinese Communists." (On these two points, see page 43 for Asiaweek's review of his latest book.)

All of this has little to do with the fact that the Chinese Nationalists have only been able to hold on to their power by imprisoning their most articulate and popular and critics. ✕

The following has been excerpted from a letter recently received by a SPEAHR board member from an American who has been teaching English at a Chinese university.

New regulations governing student contact with foreign experts have recently come down from Peking. Students may no longer visit us alone. We may speak only about English. The Cultural Revolution, in particular, must never be discussed. Students must not tell "secrets about China" to the foreign teachers. And on and on ad nauseum. Of course, we are not supposed to know anything of these regulations—I assume that they fall into the "secrets about China" category. The official attitude towards foreign teachers and how much contact they should be allowed has changed markedly since we arrived in the autumn. From all accounts, universities throughout the country are tightening up quite a bit. ✕

A Thirty-Year Assessment

China and Tibet

by June Teufel Dreyer

Politics and leadership in Tibet during the thirty years since the government of the People's Republic of China (PRC) and the local government of Tibet (LGT) signed a treaty incorporating Tibet into the PRC have been characterized by two basic patterns:

- efforts to ensure a populace and leadership loyal to the PRC and to the programs of the Chinese Communist Party (CCP)
- attempts to adapt economic institutions and social policies developed by the CCP for Han China to the Tibetan environment.

Policies to achieve these ends have vacillated between two extremes. At one, the PRC has evinced greater willingness to rely on Tibetans themselves to obtain this loyalty and has been relatively tolerant of cultural and economic arrangements quite different from those prevailing in China proper. At the other extreme, central government policy has insisted on a much larger percentage of Han Chinese in positions of power and made stringent efforts to impose current Chinese cultural and economic forms on Tibet. While no periodization is a completely accurate reflection of reality, the sum total of Chinese efforts in Tibet may be conveniently divided into five segments:

- 1951–1959, from the time Tibet formally came under PRC rule until the Tibetan revolt against the PRC
- 1959–1965, from the post-revolt reforms until the time Tibet was formally designated an “autonomous region” of the PRC
- 1966–1971, the period of the Cultural Revolution and its immediate aftermath
- 1972–1979, a period of continued political and economic experimentation
- 1979–present, a period of drastic readjustment.

1951–1959

The first eight years of PRC rule in Tibet was a time of relative tolerance. Most of the traditional Tibetan hierarchy remained in place, and few of the economic reforms instituted in China proper were implemented in Tibet. A provincial-level communist party did not even exist in Tibet during this period, its functions being assumed by what was termed a “Party Work Group.” The institutions of Lamaist theocratic feudalism continued to function, as the PRC government proclaimed its adherence to the 1951 treaty promising not to alter the existing political system in Tibet, and not to compel economic or social reforms.

Although such statements imply a commitment to the status quo, reality proved quite different. While the LGT, wholly composed of Tibetans, continued to function, the Party Work Group, which was almost exclusively Han Chinese in composition, held the ultimate power. Eventually, the Chinese promised, Tibetans, presumably meaning the Tibetan masses rather than the aristocrats, would be trained to be “masters in their own house.” In addition, the Chinese soon arranged for the formation of a

Preparatory Committee for the Tibet Autonomous Region. Although its membership overlapped with that of the LGT—for example, the Dalai Lama, the traditional theocratic leader of Tibet, was head of both—the Preparatory Committee, unlike the LGT, had only secular functions. Its mere creation aroused Tibetan suspicions about the PRC's future intentions. This and other Chinese attempts to separate the theological and secular functions of the Tibetan government aroused intense hostility, as did the PRC's attempts to define Tibet's heretofore imprecise boundaries in a manner that placed more ethnic Tibetans outside the borders of the Tibetan administrative entity than inside it.

Measures taken in accordance with other provisions of the 1951 treaty—such as the PRC's pledge to develop Tibetan agriculture, animal husbandry, industry and commerce, and the Tibetan government's agreement to the presence of People's Liberation Army (PLA) troops on its soil—were also profoundly destabilizing to the status quo. The construction of roads, which the Chinese government defended as necessary to fulfill its promise to raise living standards in Tibet, created other problems. Many Tibetans saw the roads not as conduits of prosperity, but as facilitating an influx of Han Chinese soldiers and civilians through which the PRC sought to control them. Construction workers were of two different categories: Tibetans, who were enticed to work for the Chinese by wages higher than those normally prevailing in the area, and Han Chinese, who were forced laborers. Both groups contributed to a severe inflationary situation—the Tibetans because their increased purchasing power could not be absorbed by the economy, and the Han Chinese because their presence caused shortages of food and shelter.

During this period, the Chinese introduced some changes into Tibet, and pressed for the introduction of others. This compounded the resentment many Tibetans felt towards their conquerors. Ill feelings were exacerbated when several Chinese-backed policies failed to achieve results—for example, when allegedly superior varieties of seed did not germinate in the area's cold, arid climate. Tibetans were also irked by the unwillingness of most Chinese to learn their language. The population was clearly not convinced of China's good intentions, and the PRC government decided that further reassurances were necessary. In 1957, Mao Zedong promised, in his famous essay “On the Correct Handling of Contradictions Among the People,” that there would be no reforms in Tibet for at least six years. Even after the expiration of this period, reforms would be undertaken only if requested by the masses. Simultaneously, the number of subordinate divisions of the Preparatory Committee was reduced, and Han cadres were transferred out of Tibet. Although this was the time of the anti-rightist

Editor's note: This article is drawn from parts of the author's forthcoming book, *China and Tibet: A Thirty-Year Assessment*. For reasons of economy, the footnotes were omitted from the present version, but they will appear in the book. Sources include *Beijing Review*, *Hongqi* (Red Flag), *Tibetan Review*, and broadcast transcripts in Foreign Broadcast Information Service.

campaign in China proper, no mass criticisms and no purges were carried out in Tibet.

However sincere the Chinese attempt to placate Tibetans, it proved difficult to sustain. Only a few months after the promulgation of the decision to postpone reform for six years, the Party Work Committee "persuaded" the Tibetan government to enact a major reform: henceforth Tibetan cadres would be exempt from corvee duties to their masters. This action was apparently forced by the conduct of a landlord who had beaten his servant, a cadre, when the servant refused to perform corvee obligations. Allowing the beating to go unpunished would encourage other masters to deal harshly with serfs who became interested in the party's message. Conversely, the fact that cadre status carried exemption from corvee would enhance the attractiveness of a cadre career. Thus, the incident proved to be a test case of whose will, that of the Chinese government or the traditional Tibetan government, would prevail.

This exemplifies the difficulty each side had in working with the other. In general, Chinese demands were given outward assent by the LGT, which then worked in private to avoid compliance. Resistance movements went unchecked by the traditional government, and sometimes appeared to be supported by it. The Tibetan government allegedly pardoned or gave absurdly light sentences to snipers or saboteurs when the PLA managed to apprehend them. An uneasy stalemate developed: the Chinese, committed by the 1951 treaty to rule through the indigenous power structure, could do little without the willing help of the LGT, which was rarely forthcoming. The local government, on the other hand, was not strong enough to rid itself of the Chinese presence.

Elements within the Tibetan population were, however, attempting to strengthen themselves in preparation for a revolt. The uprising broke out prematurely, when the PLA employed a somewhat irregular procedure in inviting the Dalai Lama to attend a theatrical performance. The rumor spread that he was about to be kidnapped, after which sweeping reforms would be inaugurated. Beginning in the capital city of Lhasa, the revolt spread quickly to almost every major area of Tibet. Only Xigaze, seat of the Banqen Lama, remained quiet. The Banqen Lama has traditionally been regarded as more pro-Chinese than the Dalai Lama. The PLA had little difficulty in putting down the revolt. However, an estimated 100,000 refugees, including the Dalai Lama, poured into India, casting doubt on Chinese claims to benign rule in Tibet.

Even more troublesome were the rebels who did not flee Tibet, but who disappeared into the rugged countryside, from which they were almost impossible to dislodge. Familiar with the terrain and supported by the local population, they harassed the Chinese in a manner uncomfortably reminiscent of Mao's own precepts on waging guerrilla warfare against imperialist invaders.

1959-1965

The quelling of the revolt began a period in which Han Chinese assumed greater responsibilities in the government hierarchy and during which economic and social structures were brought more closely into line with those of China proper. Considering that the revolt ended its obligations under the 1951 treaty, the Chinese government dissolved the LGT, leaving the Preparatory Committee for the projected "autonomous region" as Tibet's sole administrative body. Unlike the LGT, the Preparatory Committee had never been wholly Tibetan in composition; as a result of the revolt, it took on a larger Han component. Eighteen Tibetan members of the original committee were alleged to have participated in the revolt and were removed from office, being replaced by eleven Tibetans and five Chinese. The Banqen Lama, regarded as much more favorably disposed to the Chinese than the Dalai Lama, replaced the latter as the Preparatory Committee's acting chairper-

ABBREVIATIONS

LGT	Local Government of Tibet
TAR	Tibet Autonomous Region

son. To save face, Chinese propaganda maintained for several years after the revolt that the Dalai Lama had been abducted.

In recognition of its new status and expanded duties, six departments were added to the Preparatory Committee. Several of these were reincarnations of the departments which had been abolished in 1957, when the Chinese had promised that there would be no reforms for six years. The revolt was considered to have negated that promise also. Apparently the Han Chinese who were sent home at the time reforms were postponed and the size of the Preparatory Committee scaled down, returned as well.

Economic reforms were begun almost immediately. To gain the support of the masses, farmers were exempted from taxes for the remainder of 1959, and many were granted free grain and interest-free loans as well. A "three antis and two reductions" campaign was begun, its components being anti-rebellion, corvee, and slavery, and reductions in rent and interest.

Land redistribution followed quickly thereafter. Acreage was confiscated from those landlords and monasteries alleged to have been involved in the revolt, and purchased from those who had not taken part. The initial stages of collectivization occurred while the expropriation and redistribution processes were still incomplete. Agricultural households began to be organized into mutual aid teams (MATs) only months after the revolt. Although rapid rises in their numbers were reported initially, even the mild degree of collectivization represented by the MATs was not without its problems. In April 1961, officials promised that Tibet would remain at the stage of democratic revolution for at least the next five years. During this period, there would be no socialist transformation and no agricultural or livestock cooperatives would be established "so that efforts can be concentrated on completing the democratic reform movement and leading the broad Tibetan masses to further develop production and practice economy." Since communist ideology holds that greater, rather than lesser, degrees of collectivization lead to the development of production, this statement is a rather startling indication of failure.

However, the slowdown in collectivization was justified as having beneficial effects on production. Substantial increases were claimed for both agriculture and animal husbandry. The most spectacular gains, however, were reserved for industry, described as having gone "from nought to have" in just a few years. In 1964, 50 factories were reported in existence, nearly all of which had been set up since 1959. An entire textile factory was moved from Shanghai to Tibet, where it could take advantage of the area's hydroelectric resources. At this and many other factories, most of the workers were Han Chinese. Since more PLA soldiers were moved into the area during the 1959 revolt, and again after a border confrontation between China and India in 1962, there was a substantial increase in the Han Chinese population of Tibet during this period. In general, they were unwilling immigrants. Tibet's high altitudes cause irritability, nausea, and dizziness in those accustomed to it. Pregnant women are apt to miscarry, and those with weak hearts are in danger of their lives. Some people never completely adjust; others may take more than ten years to do so. Even those fortunate enough to be little affected tended to dislike the rigors of the Tibetan climate and its lack of familiar creature comforts. Under the circumstances, it is not surprising that the immigrants associated mainly with other Chinese, made little effort to learn about the area, and ignored the party's admonitions to study the Tibetan language.

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These problems tended to limit the size of Han immigration to Tibet. However, the numbers who did enter may explain the apparent contradiction between media reports of production increases and persistent Tibetan complaints of shortages of food and other necessities: while production had indeed increased, the rise had not kept up with the increase in population.

In any case, by 1965 the PRC government felt secure enough to formalize Tibet's status as an autonomous region of China. The Banqen Lama, who had been head of the Preparatory Committee, had proved insufficiently cooperative with the Chinese authorities. He was put under house arrest, while the person who replaced him, a secular aristocrat named Ngapo Ngawang Jigme, became head of the newly-founded Tibet Autonomous Region (TAR). Two of Ngapo's seven vice-chairpersons were Han.

At the same time, the Party Work Committee was elevated to the status of Tibet Regional Committee of the Chinese Communist Party. A Han Chinese military commander was appointed First Secretary of this committee, which was entirely Han in its upper echelons.

1966–1972

Like the period preceding it, this third phase of the PRC's rule in Tibet began with ambitious economic and social reforms designed to bring local institutions and practices more closely into line with those of Han China. At the same time, as a result of the Cultural Revolution, the institutions and practices of Han China were themselves being changed to more closely conform to the precepts of orthodox communism.

In August 1966, militant Red Guards, most of them apparently Han Chinese, invaded the Jokhang, Lhasa's central temple, and destroyed its images. The rebels considered these and other Tibetan religious and cultural objects to be relics of feudalism, and escalated their attacks on the "four olds"—old thought, culture, customs, and habits. One group, considering that Tibet was much more backward than the rest of China, added old traditions and ethics to the list, attacking the TAR's "six olds."

Subsequent to their attack on the Jokhang, Red Guard were forbidden by Beijing to desecrate the country's cultural treasures. However, they seem to have been allowed to destroy other vestiges of feudal society. In September 1966, the New China News Agency reported that the prayer flags that formerly flew from Lhasa roofs had all been replaced by the five-star national flag, and that walls and household shrines now contained images of Chairman Mao in lieu of "superstitious pictures."

Communes, which became widespread in China proper in 1957 but had not been imported to Tibet, were introduced in the TAR in 1969. In the following year, *Beijing Review* (31 July) reported that 666 communes had been established in 35% of the TAR's townships. The year 1971 saw a major drive to communize, though refugee reports of food shortages and references in the official media to sabotage by counterrevolutionaries indicate that the movement was not without problems.

The Han Chinese leadership of the TAR bore the brunt of Cultural Revolution militants' attacks, since they believed the leadership had made too many compromises to feudal reactionary forces within Tibet. Still, many Tibetans who had cooperated with the Chinese, such as Ngapo Ngawang Jigme, were also attacked. Another, the elderly Buddhist scholar Shirob Gyaltsso, was later reported to have persecuted and tortured to death. Ideological issues were muddled by intensely personal grievances, as many lower-status Han Chinese immigrants to Tibet sought to take advantage of the turmoil to return to China proper.

When the Cultural Revolution chaos abated, Ngapo Ngawang Jigme, though remaining in good standing at the central govern-

ment level, had lost his post as head of the TAR. The Chinese PLA commander who headed the regional communist party had been transferred to a neighboring province. The new leader of Tibet was Ren Rong, a Han Chinese military man with many years' experience in the area. Regarded as a moderate, he headed both the new governmental apparatus, the revolutionary committee and, when it was re-founded, the regional communist party as well. Several new Tibetan faces appeared below Ren in party and governmental hierarchies, but their youth and lack of experience seemed to indicate that they did not exercise much power.

1972–1979

A new, more accommodationist, attitude toward Tibetan social practices and greater efforts to recruit Tibetans to important positions in the TAR followed closely after the death of Cultural Revolution leader and heir-apparent to Mao Zedong, Lin Biao. This was first apparent in 1972, when the government expanded facilities for publishing books in Tibetan and increased the number of hours devoted to Tibetan language radio broadcasts. A more liberal attitude toward Lamaism began that year as well, with the repair of some monasteries which had been damaged during the Cultural Revolution. A new policy known as the "four basic freedoms" was introduced in July of 1972: freedom to practice religion, to trade, to lend money at interest, and to keep servants. Overtures were made to the Dalai Lama as well, to induce him to return.

The upper level of the regional leadership was remarkably stable during this period. Although Ren Rong held both the top government and party posts, and despite several thousand Han immigrants being transferred to the TAR, efforts continued to Tibetanize the hierarchy. As of January 1977, 61% of the TAR's cadres and 63% of its members were reported to be of minority nationality, as compared with a target figure of 70% for both categories set by Zhou Enlai in 1955. However, the nearer one approached to the top in party, government, and military pyramids, the lower the proportion of Tibetans.

Nonetheless, opportunities for Tibetans to obtain prestigious positions in the TAR did seem to be improving. In early 1979, an amnesty was declared for former rebels, many of whom had been in prison since the 1959 revolt. Those who had gone into exile were invited to return, visit their friends and relatives and, if they wished, to remain in Tibet. Overtures were again made to the Dalai Lama to return; he agreed to send a delegation representing him for an inspection tour.

Economically, modifications of the pattern prevalent in China proper were made in deference to the Tibetan context. A model commune described in *Beijing Review* (18 July 1975) showed it to be smaller in both area and number of persons included than those in the rest of China. There was a two-tier (commune plus production team) organizational structure rather than the three-tier (commune, brigade, and production team) structure which was standard in China proper. In addition, agricultural taxes were collected on an individual rather than a collective basis.

At the same time, rather startling innovations in cultivation and animal husbandry were introduced. Wheat cultivation replaced the type of barley that formed a staple of the Tibetan diet. A government-sponsored program to raise hogs was begun. The cultivation of a wide variety of fruits and vegetables, including tomatoes, peppers, apples, peaches, and pears, was also introduced. Though official propaganda claimed that the success of these crops was due to the party bringing the benefits of advanced science to grateful Tibetans, a British long-term resident of Tibet had written in the 1920s that all of these were cultivated on a small scale—mainly for resident Chinese, since most Tibetans did not care for them. Xinjiang fine-wool sheep and tea cultivation

were also introduced at this time, and frontier guards were said to be popularizing rice growing techniques.

Typically, the media claimed stunning success for all these experiments. However, in 1974, Tibet, which is rarely visited by party or government officials of high status, hosted a delegation headed by Politburo member Chen Yonggui, the hero of Dazhai. In sharp contrast to the glowing descriptions of prosperity in Tibet provided by the few sympathetic foreign visitors PRC authorities had permitted to visit the TAR, the official Chinese media reports of Chen's visit contain no such plaudits. Ren Rong, who guided Chen on what was termed an inspection trip, admitted that the region's work showed many shortcomings, and was far behind the demands of the Central Committee. Similarly, statements such as

The masses have potentially inexhaustible enthusiasm for socialism. Some localities have failed to increase agricultural and livestock production. The blame should be placed on production conditions, not the masses.

do not evince any particular pride in Tibet's accomplishments

Conditions do not seem to have improved noticeably after Chen's visit. In early 1979, another central government delegation reportedly visited Tibet, though no official announcement was made. In May and June of that year, large numbers of Han Chinese cadres were transferred to Tibet, seemingly with the aim of alleviating problems in production. Another explanation offered was that, with so many cadres who had been victims of the Cultural Revolution rehabilitated, the ranks of cadres in China proper were overstaffed, and the transfer to Tibet was a measure taken to alleviate this situation.

1979–1981

By the fall of 1979, the media made explicit their earlier hints that Tibetan reality differed from foreign visitors' and *China Reconstructs*' images of rosy-cheeked peasants standing next to bountiful harvests. Crops had failed to a degree unprecedented in modern times, and more than poor weather conditions were at fault. Winter wheat, after a few years of good yields from 1972–1975, began to suck the fragile Tibetan soil free of nutrients, and yields gradually dropped. By 1979, with agricultural policy unresponsive to the reasons behind falling yields, the soil was effectively exhausted. Much of it will have to lie fallow for some period in order to rejuvenate.

The wheat-planting program was a social as well as an ecological disaster, with Tibetans preferring to eat their traditional barley and resenting Han pressure to raise and eat not just wheat, but pork and vegetables as well. Many felt that they were being forced to produce food not for themselves, but for the resident and ever-growing Han Chinese population. Almost certainly, the Chinese presence had tipped a precarious but basically favorable ecological balance in the direction of disaster. This premise was affirmed by two separate groups of Western naturalists who visited the TAR in 1980. Both noted a simultaneous decline of vegetation, wildlife, and birds, and described the "ecological agonies" the area was experiencing.

Food shortages exacerbated existing tensions, against the Chinese in general and the army in particular. The delegation representing the Dalai Lama was literally besieged by Tibetans who, often in tears, poured out various tales of woe. The embarrassed Chinese finally ordered the delegation to cut short its visit.

Once the extent of this economic and political disaster became known, the Chinese government moved quickly to deal with major problems. Ren Rong was removed as head of the region's government in August 1979, being replaced with Tian Bao, an ethnic Tibetan. Tian could not have been the ideal choice from a Tibetan nationalist point of view. He was born in Sichuan, not Tibet,

joined the communist party at an early age, and had spent very little time in the TAR. Still, the fact that he was a Tibetan, and one who was a member of the party's Central Committee, had a certain symbolic value.

In May of the following year, a high-ranking delegation led by heir-apparent to the first secretaryship of the Chinese Communist Party, Hu Yaobang, visited Tibet. Part of its solution was to remove Ren Rong from his post of regional first party secretary. Unlike Tian Bao, his successor as head of the TAR government, Ren's successor as head of the regional party, Yin Fatang, was not a Tibetan. However, he was named acting first party secretary rather than full first party secretary, leading to speculation that a Tibetan might soon be named to the post. Even if not true, the speculation could do the Chinese no harm with Tibetans. Yin, like Ren, was a military man and a Han Chinese. He had entered Tibet with the original PLA occupation force in 1950, had had more than twenty years' experience working in Tibet, and spoke Tibetan.

One reason for choosing another military person as first party secretary may have been the strained situation between army and citizenry, with small-scale rebellion endemic to the area. In September of 1979, the army was ordered to vacate a mosque it had been occupying in Xigaze prefecture, and a few months later army units in the TAR were being given re-education in policy toward Tibetans. New recruits received special lectures on what to do and what not to do.

At the same time, the government announced plans to transfer approximately 80% of the Han Chinese civilians in Tibet back to China proper. By the end of 1980, the need to accomplish this quickly seemed pressing enough that the party Central Committee reassigned two IL-18 aircraft from the air force to aid in the transfer. Those Han who remained were urged to learn the local language, and to respect the people's customs.

On the basis of its visit, the delegation from Beijing also issued a directive designed to revive the Tibetan economy. Briefly, its provisions included

- Tibet's exemption for two years from all agricultural and animal husbandry taxes, as well as from state purchase of farm, animal, and sideline products. Production teams and individuals would be encouraged to voluntarily sell surplus products to the state.
- a guarantee that the state would not assign personnel to local areas, nor would it requisition the labor of local residents. If the state needed manpower for construction projects, it would sign contracts with the communes or teams concerned.
- warnings that governments at various levels must not issue directives concerning production, output quotas, or production plans. Teams and individuals were given the right to decide by themselves what they wished to grow—including barley—and in what manner they proposed to do so.
- guarantees that production teams could determine the collective and individual work responsibilities of their membership. Both year-round and temporary work teams were sanctioned; in remote areas, output quotas might be based on individual households.
- reaffirmation of the right to own private plots and domestic animals, and to engage in domestic occupations. The right to sell or exchange the products of these plots, animals, and sideline industries was guaranteed.
- abolition of regulations that hindered border trade between Tibet and neighboring countries. Traders from Nepal, India, Bhutan, Sikkim, and Burma were allowed to cross into Tibet freely to buy and sell.

In late March of 1981, Ngapo Ngawang Jigme was named governor of Tibet. As a well-born aristocrat and native of Tibet proper, his appointment symbolized a somewhat greater concession to local sensibilities than had that of his predecessor Tian Bao. (The latter was appointed a vice-governor of his native Sichuan province.)

Although it is clearly too soon to expect results from these policies, 1980's harvest appears to have been an improvement over 1979's, and the mere fact that a number of Han have been removed should alleviate part of the shortfall between population and food supply. While measures are being taken to reverse the ecological disaster wrought by the Chinese occupation of Tibet, it may take much longer to heal the psychological scars. Acting First Party Secretary Yin Fatang, speaking in January 1981, drew attention to a serious problem of political instability:

At present, there are many destabilizing factors. Taking advantage of our efforts in implementing the party's policy toward nationalities and religions, transferring large numbers of Han nationality cadres and workers to the hinterland and correcting the left deviation, a handful of bad elements has sown discord among the nationalities, undermined the motherland's unification, fanned religious fanaticism, popularized the prophetic book from heaven, disseminated the idea of restoring the reactionary rule, attacked the socialist system, opposed the party leadership and engaged in restorationist activities.

Ironically, the area of most severe disorder appears to be Xigaze. Seat of the Banqen Lama, it was virtually the only area of Tibet to remain calm during the 1959 rebellion. Typically, young people form a majority of those apprehended in these and other manifestations of social unrest.

Conclusions

During the early years of Chinese Communist rule in Tibet, the assumption among many Westerners, and doubtless among many Chinese as well, was that faith in Lamaism, the unifying force of Tibetan nationalism, would wane as Tibetans were introduced to the power of modern science. Moreover, as Tibetan guerrillas aged and the population became convinced of the hopelessness of rebellion, Tibetans would acquiesce gracefully to Chinese rule. Neither seems to have happened. Despite several periods of repression and the destruction of many temples, numerous outside observers attest to the continuing strength of both Tibetan nationalism and Lamaist Buddhism. And the spearhead of opposition to Chinese rule seems to have passed from aging guerrillas and exiles to a new, younger, generation—one which was born under Chinese rule and can remember no other government.

The fervent hopes of Tibetan nationalists aside, it is inconceivable that their country will gain independence from Chinese rule in the foreseeable future. To make this rule more palatable, and to reduce the social and economic costs of administering Tibet, it is incumbent on the Chinese government to make good on its promises to raise the area's living standards—standards which the PRC has publicly admitted have “not noticeably improved” since its takeover. It must also provide Tibetans with convincing evidence that it will implement its pledge to make Tibetans “masters in their own house.” The present policies certainly represent efforts in those directions. Yet, as has been seen above, such assurances have been given before and rescinded as the result of ideological or personnel changes in Beijing. In consequence, the Chinese Communist Party and government face a serious credibility gap. As expressed recently by a sister of the Dalai Lama, “The Chinese have promised many things in the past, and look what has happened.” ✕

Taiwan

On August 5, Amnesty International issued a 20-page memorandum it had sent to the Taiwan government. The organization also released the text of the government's response and AI Secretary General Thomas Hammarberg's answer to that response.

The memorandum was based in part upon the findings of a two-person AI delegation to Taiwan in February 1980, and of AI's observer at the military trial of the major Kaohsiung Incident defendants.

At that trial, AI noted, no evidence, other than the defendants' confessions (which they withdrew) had been submitted in court to substantiate the charges that they had advocated violence or the illegal overthrow of the government. “Nor was any evidence submitted to show that the defendants had planned any violence at the 10 December 1979 Human Rights Rally.” Furthermore, it was pointed out that the court did not allow testimony by witnesses which might have vindicated those who stood accused.

Regarding the civilian trial of the “Thirty-Three,” AI said that according to its information the charges against them (“inciting a group of persons to commit or threaten violence” or of being accomplices in such acts) were not substantiated. “In most cases, confessions and incriminating testimonials made under duress were the only evidence against the defendants during their trial. Their claims that statements had been improperly obtained were not, to Amnesty International's knowledge, properly investigated by the court, and they should not, in Amnesty International's view, have been used as evidence.”

It was pointed out that the government broke its promise to let AI representatives visit prisoners specified by the organization. It had been possible to visit prisoners selected by the government, but even so, the organization “was disquieted to learn that one of the prisoners who spoke to its delegates had been punished—it is believed for having had this conversation.”

In its response, the government denied some of the allegations, and said that AI had “accepted the one-sided and unsubstantiated assertions of defendants.”

The three documents are available from Amnesty International/USA, 304 West 58 St., New York NY 10019. ✕

Seventeen Years in A Chinese Prison

The author of the following autobiographical account is a well-known practitioner of traditional-style Tibetan medicine.

By Tenzin Chodrak

I was born in a middle class family which was rooted in Nyemo, a small, unruffled village not far from Lhasa. There were fourteen of us in our family, and before "liberation" our family possessed 300 sheep and a substantial plot of land. At the age of ten I was admitted to the neighboring Chode Ghon, which was a Bothong monastery, Bothong being a sub-sect of the Kargyu sect of Tibetan Buddhism. For seven years I studied as a neophyte in this monastery. When I was eighteen an important event occurred in my life which consequently brought me in contact with the wider world which lay outside my small village. About 1941 the Tibetan government sent couriers throughout Tibet announcing that the brightest novices from the monasteries would be selected to study Tibetan medicine at the Mentsekhang or the Central Institute of Tibetan Medicine at Lhasa. I was one of those young boys selected and I soon found myself journeying to Lhasa, where I spent twelve years studying Tibetan medicine. For eight of these twelve years, I was the chief compounder. After the end of our studies my batch of students was given a final and decisive examination conducted by the Tibetan government. I secured a first class first. At the age of thirty I graduated from the Mentsekhang and armed with my precious certificate I returned to my village.

In 1955 the Tibetan government announced that a personal physician was needed for the Dalai Lama. Six of us were selected as candidates. In 1957 I learned that I had been chosen as the personal physician to our national leader and I had to go back to Lhasa. In the course of my duty as the personal physician to His Holiness I had to shuttle back and forth between either Norbulinka or the Potala (respectively, the summer and winter residence of the Dalai Lama) and Yabshi Tagtser (the resident of the Gyalyum Chemo, the mother of His Holiness). My quiet, academic life was over and I was thrown in the vortex of the whirlwind of changes that were sweeping Tibet.

The Chinese communists had already been in Tibet for more than six years. Within these years they had constructed roads and built schools. The magic word and the key to all our problems was said to be progress. In Lhasa the Chinese face exuded smiles of sweet reasonableness. His Holiness the Dalai Lama told us on his return from China in 1954 that the Chinese had come to Tibet to help the Tibetan people, whenever the Tibetans told them to go the Chinese would do so, power would continue to remain in the hands of the Tibetans. In the beginning I believed in the Chinese promises of good intent. Like many Tibetans who understood nothing of our new situation, I too was a little fluttered by the banners, the rhythmic beat of the marching bands and the promise of a golden tomorrow. The word was spread that the Chinese had come to our country to help us in making Tibet prosperous and developed.

Soon the transient excitement of the banners and the marching bands wore away. Even at that early stage the Chinese made no secret of their true feelings towards our religion. I had heard about the Chinese intention to destroy our religion. They called the monks and lamas "red worms" and "social parasites." I was a

While in the prison the news was whispered that His Holiness had managed to escape to India and he had installed a Tibetan government-in-exile at a place called Mussoorie. I knew that with the formation of the government-in-exile the chances of the Tibetan issue being discussed in the U.N. were far greater. I managed to get messages across to Kyire Chophel, Nogpon Poro and Shozinkha in which I urged them not to talk and confess. Even in that hour of despair and amidst the wreckage of our hopes and lost opportunities, I was fully convinced of the rightness of our cause and of its ultimate triumph. Somehow my messages were intercepted or were deliberately handed over to the Chinese authorities. Anyway I was treated with greater hostility and the punishment meted out to me was harsher.

For one whole day I was made to write my biography with all the emphasis on my "black deeds." The next day I was questioned and interrogated. I was condemned as a "counterrevolutionary," and was showered with abuses and beaten. I was told to talk about the Dalai Lama, about Yabshi Tagtser and about Gyalo Thondup, the elder brother of His Holiness. I was accused of being in the pay of Taiwan, a running-dog of Gyalo Thondup and a spy planted in Tibet. My accusers said that I must be killed at once. They handcuffed me, and even my feet were clamped in chains and I was put in solitary confinement, with the admonishing words: "think and ponder." Every day I was questioned. However I never talked, nor criticized His Holiness the Dalai Lama. (Some others criticized and denounced him as a reactionary and oppressor of his people.)

Because of my "old, stubborn mind" I was subjected to *tham-zing* or "struggle" three times. During the third struggle meeting I fainted, recovering unconsciousness only when water was put in my mouth. The prison doctors said that if I was subject to any more struggle I would die and they would not be responsible. The prison authorities feigned shock and horror. They blamed the prisoners for their violence and told them such violent acts during the struggle meetings were not within the Party's policy. In this way the prison authorities would try to hide their cruelty behind a mock show of comradely concern.

There were around 700 prisoners; most, as mentioned above, were from the upper echelons of Tibetan society; all were struggled. Indeed the natural complement of the interrogation session is the struggle. How prison authorities conducted the struggle was the best example we ever saw of communist chicanery and double-dealing. Those Tibetans within the prison or even outside who might have had a personal grudge against the intended victim of monk and I did not like it. It was only then, gradually, that I came to realize the real meaning of the Chinese presence in Tibet. Though there was a section in the Tibetan society who believed in the Chinese there was another who all along knew the Chinese.

However right from the start, I was convinced of the futility of armed uprising. An analysis of the comparative military might of China and Tibet is sufficient to drive home this point. The Chinese on the one hand had military experience and political education, they possessed unlimited arms, their population was awesome. Tibetan military strength according to the most generous estimate was puny. On the other hand I fully supported the demonstrations which took place in the streets of Lhasa and the mass rallies in the Norbulinka.

The March uprising of 1959 was quelled. Shortly thereafter I was condemned as a "reactionary" and "counterrevolutionary" and was put in the Chinese military prison by the PLA. Most of the prisoners here were from the aristocracy and the prison authorities went to great length in pointing out to us our humiliation and defeat. The authorities said: "We have destroyed your government, we have exterminated it. The few reactionaries have fled, and you, also few in number, are in our hands. You say that you wish to eat tsampa and not rice. What is the meaning of this? Doesn't eating tsampa signify Tibetan independence?"

the coming struggle would be picked as the ideal accusers and would be thoroughly briefed on the biography of the victim. The Chinese would spend many days in teaching these people how to conduct a struggle meeting and what sort of questions to ask. To the victims the authorities would show another face and tell us: "Today the masses are going to advise you and struggle you and in so doing correct your thinking. You must cooperate and confess. You must confess whatever the masses accuse you of." Shouted at, insulted and abused, spat upon, invariably beaten, hopelessly confused and terrorized, no victim could hold it for long. Amid the rising crescendo of denunciations and accusations the victim would confess to all accusations leveled against him, if only to lessen the agony and to escape from it all. The innocent but gullible bystanders and spectators would nicely swallow this piece of communist propaganda. They would truly be shocked at this other side of the victim's character, whom before they had known as a kind and compassionate person, incapable of hurting a fly. But this person now had robbed, murdered, committed adultery, in fact indulged in every heinous act conceivable. It sounded impossible but true. The impartial spectators would not have the right to question the justness of the accusers' denunciation and tell the victim to speak up truly. This is the struggle, the psychological and physical gang-beating of one by thousands.

On October 20, 1959, a mass gathering of the prisoners was convened, including the prison cell monitors and prison authorities. The prisoners were divided into three groups. Twenty-one prisoners were considered "progressive," and were sent to Nachen power plant near Lhasa as "free-workers." The prisoners who were considered dangerous—a category in which I was included—were deported to China for re-education. The prisoners who were neither faithful nor dangerous were retained in the same prison. Seventy-six of us—the worst category of prisoners—were deported to a place called Chiujuen in China, near the border of Inner Mongolia. The seventy-six of us were crammed into two roofless trucks. One truck full of soldiers armed to the teeth preceded and another truck filled with similarly armed soldiers followed. After twelve days of travel through the wilds of the Jangthang region, we reached Chiujuen. The prison was a little distance away from the town.

The inmates of this vast prison were mostly Chinese. We heard that there used to be 300 Tibetans, all from the Amdo region of Tibet, who were imprisoned for taking up arms against the Chinese around 1956-57. Of the 300 Tibetan prisoners only two were alive in the prison when we arrived.

At first our monthly ration was 7½ kilos of grains. Our work was to dig new fields for growing grain. A prisoner in one day had to dig one "mu" of land. In one "mu" of land about twelve kilograms of seeds can be sown. The land being barren and the soil hard as rock, even the most energetic of us could not dig a fraction of the day's allotted task. Because of the meagerness of our ration, the sub-human conditions under which we worked, and because of the unrelenting labor which we were forced to undergo day after day, physical deterioration set in. Our hair fell out, our eyebrows came off; our youth, our energy and strength were drained away from us.

At this stage our ration was reduced to four kilos of grains per month. This was the limit. From then onwards we lived in famine conditions. Tired from mental tension and weak from malnutrition, we lost our sense of shame. Hunger and malnutrition drove us to eat ropes, leather tsampa bags, in fact anything from which the tiniest amount of nourishment could be squeezed out for our emaciated bodies. I chewed my own leather jacket. Like others I was reduced to a walking skeleton, and my head became heavier as the days went by, and it was with difficulty that I could manage to walk. In this hellish condition we were still expected to work as fresh, strong laborers. Those prisoners who while at their work fell

down or stumbled were accused of lacking labor motivation and were kicked and beaten. In such harsh, inhuman conditions only supermen or gods could hope to survive; most could not keep pace with the work, many died. It was not an uncommon sight to see prisoners falling down on the ground unconscious and the more energetic laborers carrying them off on stretchers to their cells where they were made to rest for two or three days after which they were brought back to the same routine of hard work and labor.

Yarphel Drakpa, one of my cellmates, foraged for food and ate anything which he thought was edible. It cost him his life. Soon he was troubled by constant, painful stomach aches and suffered from loose motion. When he had his bout of stomach aches his cry of pain could be heard miles around. In the end his intestines punctured and he died soon after. Despite such dire consequences before their very eyes there were some prisoners who continued to forage even for dog bones. There was another episode of the sad end of a scavenger: that of Teykhang Chophel. The load of unhygienic, indigestible objects in his stomach made his posterior crack. His death too was accompanied with extreme pain.

In this starvation condition—a situation in which the Chinese kept us alive but one which never made us forget our hunger—food obsessed us completely. To us food was the source of all our joys and sorrow. Food. We thought about it throughout our waking hours; even in our sleep we dreamt about food. Food was the center of our being and the sole motivating force in our lives.

Our fondest dreams consisted of having something to eat. Even sleep was difficult. It is true one can sleep on a full stomach, but never on an empty one.

It is understandable that in this situation we forgot our sense of shame and decency. Human prejudice, qualms and horror gradually built in the human psyche by centuries of culture vanished before the reality of starvation. The men in the prison ate rats, frogs and some prisoners even the worms that flourished in excreta. A Chinese youth of seventeen years killed his mother in order to get the four kilos of tsampa which his mother had in her safekeeping. The parasite was locked in our prison. In another instance a starving Chinese killed an eight-year-old boy, cooked it and ate it. The cannibal was also locked in our prison and the Tibetans nicknamed him the "vulture." Then there were the countless Chinese children who foraged for the sown seeds in the rice and wheat fields. Those caught red-handed were imprisoned.

In such semi-starvation conditions we spent three years in China. Only the strongest and the fittest could survive. In the end I did survive the spiritual and intellectual humiliation, the semi-starvation, the recurrent waves of disease and deterioration and the servility which an impersonal, all-mighty authority induced in all of us. But my survival was due solely to my youth. The older Tibetans one by one passed away. Within the three years of imprisonment in China only 25 of us survived out of the seventy-six who were sent to China.

It was around this time that we heard the news that could have made us jump with joy if only we had the energy: our ration was increased by 7½ kilos. But our physical recovery was slow since the food we got contained neither oil nor any fat. About a fortnight before our departure to Tibet our ration was again raised, this time to 12 kilos.

In the winter of 1962 the twenty-five of us were sent back to Tibet in the same manner in which we had come—with armed escorts. When we reached the famous Thanggu-la Pass, all of us needed respirators. One of our number fell unconscious and he had to be revived with the help of oxygen cylinders.

In Lhasa, the twenty-five of us were put in Tibet's number one prison, the Trapchi prison which at an approximate estimate contained about 3000 prisoners. The prison was divided into different sections, all of which fell into two broad divisions. One was a labor

camp, and the other was for housing prisoners who had to undergo political re-education.

In Trapchi prison I spent about two years. In 1965 I was transferred to Sangyip prison which is also in Lhasa. In this prison I served from 1965 to 1972. For quite a long period of time there were seventy-two of us who were to be forced to undergo political re-education. In each cell seven of us were locked up in the night. This was the period when we were subjected to the longest period of political re-education.

More than the hard work in the labor camp in China, the endless sessions of political re-education we went through had in terms of mental and psychological tension a far more devastating effect on us. All the time we had to be on the alert. The slightest slip of tongue or an unguarded, genuine facial expression would make us "trip" and land us in serious trouble for harboring "unclean" thoughts. A study session took the whole day. The tsug-trang or the leader of each group's study session would open the prescribed discussion with a ritualistic jibe at the horrors of the old society, and predictably the participants would have to nod their tired heads in approval. These study sessions acquired the sanctity of a ritual, and the inevitable Marxist clichés would have to be mouthed: The imminent collapse of imperialism, the eventual triumph of socialism; the contradictions in feudal society, the contradictions in a capitalist society, the contradictions in a socialist society, and contradictions within the party. The prisoners would have to answer and say that the contradiction in a feudal society could only be resolved by the successful uprising of the serfs against the manorial lords; the contradiction in a capitalist society could only be resolved by the overthrow of the bourgeoisie by the workers. The prisoners would have to say that in a socialist society one contradiction was between the industrialized urban areas and the backward rural areas and this urban-rural dichotomy could only be resolved by the mechanization of agriculture. Contradictions within the party could only be resolved by the party leaders doing self-criticism. Apart from studying the little Red Book, the *Tibet Daily* would be brought before the prisoners and the day's events had to be discussed. Only the government's interpretation of a particular event was considered correct, and any prisoner who had his own ideas about daily events would be immediately pulled up and reserved for subsequent *thamzing*. Any prisoner who had a good word for countries like the USSR, the United States and India would at once be pulled up for special self-correction. The study session would be followed by the *thamzing* or the struggle meeting, in which the prisoners who were endowed with less keen perceptions and thus unable to appreciate the fine nuances during the study meeting, were violently denounced, beaten and condemned. (After 1973, the beating was stopped.) Every night after the study session in most cells there was crying and wailing, and sometimes, the gnashing of teeth.

On top of all this the prison rules were a humiliation to us all. During the study sessions the prisoners could not take snuff and in the struggle meeting the victims would have to confess whether he had begged for a pinch of snuff from others. Even if a prisoner wanted to urinate he had to seek permission. In the presence of Chinese officials, prison authorities and cadres, the prisoners had to keep their heads bowed, and never to go near them. For all their fine talk the prison authorities were acutely aware of class distinctions.

It was these prison conditions which made the prisoners rise up and rebel. The most famous case of rebellion occurred in my prison, centering around two Chinese youths and a Tibetan. The two Chinese, Tay Chi-shong and Tan Yon-yune had been imprisoned for some minor theft and the Tibetan boy called Gelek was jailed because of his "local nationalism." Gelek's father was a Tibetan from eastern Tibet and his mother was from Shigstse in

central Tibet. They were very poor. But Gelek was a fine looking boy and he was inducted into one of the numerous dance and drama troupes that flourished in Tibet under the communists. However the deception and the hypocrisy that surrounded every act or play or dance the troupe performed quite disgusted Gelek. He displayed his disgust in no uncertain terms for which he was promptly jailed. The three of them decided to kill their jailer, make false passports and escape to Hindu country [India] from where they planned to lead and guide Hindu [Indian] forces to liberate Tibet. Just as they were in the act of killing the jailer by hitting him from behind with a spade they were caught by a prisoner from Amdo. Their plot was smashed. The two Chinese youth were done to death while Gelek by virtue of his good class background was given life imprisonment. The Tibetan from Amdo was at once released and was made into a hero.

In 1972 my case was finally decided and I was given seventeen years of imprisonment out of which I had already served many years. In 1973 a big change came in my prison life. I was removed from the cells and was made to serve in the prison dispensary as one of the Tibetan physicians to the prisoners. I was given 550 yuans to buy Tibetan medicines for the prisoners. During the course of my duty as a doctor in Tibetan medicine I was once approached by one of my Tibetan patients who said "I don't want Marxism, I want religion." I pretended not to have heard but a Tibetan from Phari hearing these words at once sneaked to the Chinese. One of my colleagues, Zopa from Derge in Eastern Tibet, swore to the authorities that the patient did not utter these words. However the Tibetan went back to his cell and on a single strand of broom stick he attached a scarf and waving this in a fit of anger and despair shouted "*Tibet is independent.*"

In March 1976 I was "released." As a "free-worker" I had to serve in the prison dispensary as a Tibetan physician doling out Tibetan medicinal pills to the prisoners.

After much skepticism on the part of the Chinese to whom Dr. Chodrak was accountable, they finally came to respect Tibetan medical practices. In 1979 his "black hat" was lifted from his head, and he was restored to citizenship. The following year he was permitted to leave the country. On the eve of his departure he was given a short lecture: "You, Tenzin Chodrak, must consider yourself fortunate that you, once a criminal and an enemy of the Party, are being permitted to visit India for a short while. This is undoubtedly the blessing of Chairman Hua. Before, had you so much as mentioned going abroad, you know what would have happened to you. Under the 'Gang of Four,' intellectuals were deemed poisonous weeds. Today the Party considers all educated people as precious jewels. The Party now respects and treasures all intellectuals. As a man of education, you will have a proper perspective regarding the changes that are going on here; you must tell the Tibetans abroad the good that is being done in Tibet."

In his reply, Dr. Chodrak thanked the authorities for their kindness, and said: "While I am in India I shall take as my principle the maxim of Deng Xiaoping that one should 'Seek truth from facts.' I shall tell nothing but the truth."

Tenzin Chodrak now serves as personal physician to the Dalai Lama. ✕

Adapted from *Tibetan Bulletin*, Jan. 1981, published by the Information Office of the Central Tibetan Secretariat, Dharmasala, India.

CROSSREFERENCE

This section is comprised of items of information arranged according to Universal Declaration of Human Rights article number (see page 2), and broken down thereafter by country or territory. If no article of the Declaration is specifically relevant, we designate the category "00." If more than one article applies, our allocation may be arbitrary.

Inclusion of an item does not necessarily imply a judgment that a violation of human rights has actually taken place. For example, we include information on the use of capital punishment even in the cases of common-law criminals (under 05), though the Declaration takes no clear position on whether or not such executions violate human rights.

As with other material appearing in SPEAHRhead, we present this information in the belief that it will be of interest to members, but we cannot always vouch for the validity of the allegations. Our sources (usually the official media of the country concerned) are indicated at the end of each item.

An explanation of abbreviations and source citations will be found on p. 14.

00. MARTIAL LAW. On January 24, Martial law was ended in South Korea. It had been in effect virtually throughout the country since 26 October 1979. However, a midnight-to-4:00 A.M. curfew (in effect since 1945) continued as did more-recently-enacted "security" regulations. One Korean remarked, "After they strengthened all those laws, it will be like living under martial law without martial law." (NYT-24I, 25I; CSM-26I)

In Taiwan, martial law continued. According to Kuomintang Secretary-general Y. S. Tsiang, "National security has a higher priority than human rights" <8M11'80>. ¶The application of military "justice" has been expanded. Now not only are political dissidents given courts martial, but even criminal defendants are often dealt with in this manner. Those accused of violent crimes are often given quick trials by the garrison command and then executed. It has been claimed that this reduces crime, but police statistics indicate that this has not happened.

(WP-27N80)

00-C. SOCIALIST DEMOCRACY. China's People's Daily <25N2D80> carried an article by Feng Wenbin entitled "On the Question of Socialist Democracy." Feng called for more democratic government, better elections, equality before the law, etc. The problem of "remnant feudal autocracy," he said, is most serious in rural areas.

Guangming Daily carried two articles last

year on the question of whether "antagonistic contradictions" remain in China. First, an article by Xu Chongde (GM#162) had maintained that they do not. In response, Li Lanke argued that there continued to be such contradictions <GM11D29'80>. The debate is significant because the state is considered justified in depriving citizens of their rights if "antagonistic contradictions" are involved.

An article in the journal Banyue Tan concerning the trial of Jiang Qing et al., appeared to deny that international human rights standards are relevant to China. "All foreign laws are invalid in China." <25D22>

Jiefang ribao {25I-77911} carried a reasonably balanced discussion by Li Changdao on the subject of human rights in "bourgeois countries." It concludes, "It can be seen [from the previous discussion] that, for the purposes of its own governmental needs, the bourgeoisie imposes various legal limits on constitutionally-established freedoms. Just as Lenin said: 'Whoever speaks of a general "freedom," whoever opposes the dictatorship of the proletariat on behalf of freedom, is aiding the exploiters and is protecting the exploiters.' Harming national security and the social order, and even going so far as to violate the constitution and the law, all in the name of 'freedom,' is something that no country allows."

USSR VIEW. This spring the Soviet-based Ba-yi broadcasting service criticized Deng Xiaoping for "suppressing the masses" and using troops against his critics. {78053}

00-NK. LOYALTY. North Korea's Nodong Sinmun carried a lengthy editorial on the importance of "absolute, unconditional" loyalty.

<20F26'80>

00-SK. ABORTED A.I. MISSION. Despite earlier assurances that they would be allowed to enter Korea, an Amnesty International delegation consisting of A.I. Deputy Secretary General Dick Oosting and Harvard legal scholar Edward Baker were told in Tokyo that they could not proceed to Seoul because the issue of human rights was "too sensitive in South Korea at this time." (Matchbox S80)

02-C. WOMEN IN POLITICS. The Parisian magazine "Des femmes en mouvements" (j, o '80) carried two feature articles with information and commentary on China. Interviews with Chinese women revealed them to be "more feminist and more politicized than women in other socialist countries."

But although sexual equality is China's

official policy, the culture's traditional sexism is still apparent when it comes to the question of women in public affairs. Jiang Qing has sometimes been derided in sexist terms in the media. (See below, under 12-C.) People's Daily <1S5'80> carried an historical analysis charging that in feudal times the emperors' in-laws were immoral and corrupt; they did much harm, keeping able people out of office, and provoking wars. However, Beijing Wanbao <9D23'80> carried an apparent response which argued that when such people as empresses and imperial concubines interfered in state affairs they should only be criticized if they "turned back the wheel of history". [For more on the historical questions (with contemporary implications) see Lin Hanbiao, "How should we deal with the Interference of Eunuchs, Empresses and Imperial Concubines in State Affairs?" <BJ Wanbao 9D23'80>, and Zhu Xiaoxun, "Zhu Yuanzhang Strictly Forebade Eu-

LEGEND

- < > The first number following the < is the date of original document or (if that is irrelevant or unknown) of broadcast. Second number (if any): U. S. Foreign Broadcast Information Service date. (If no second date is indicated, the two are the same.)
- { } The date (if any) following the { is the date of original document. The number before the } refers to a report of the U. S. Joint Publications Research Service.

A April
a August
AFP Agence France Presse
AH Anhui Province
AND Asian National Dossier
AP Associated Press
AR Asia Record
ar autonomous region
Aw Asiaweek
BJ Beijing (greater Peking)
BN Ba-shih nien-tai
BR Beijing Review
C China (People's Rep.)
c circa
CAC Canada Asia Currents
CDM Monthly Bulletin Chinese Democratic Movement
CLG Chinese Law & Gov't
CP China Post (Taipei)
CPC Communist Party of China
CSM Christian Science Montr.
D December
DX Dongxiang (HK journal)
FCW Free China Weekly (ROC)
FEE Far Eastern Econ. Review
FJ Fujian Province
GD Guangdong Province
GM Guangming Daily
GS Gansu Province
GX Guangxi Zhuang ar

GZ Guizhou Province
HB Hubei Province
Heb Hebei Province
Hen Henan Province
HK Hong Kong
HL Heilongjiang Province
HN Hunan Province
HQ Hongqi (Red Flag)
I January
J June
j July
JL Jilin Province
JP Japan
JS Jiangsu Province
JX Jiangxi Province
K Kyodo
KC Korea Communiqué
LN Liaoning Province
M March
m May
MPR Mongolian People's Rep.
MRK Monthly Rev Korean Afrs
N November
NK North Korea
NL News & Letters (Detroit)
NM Nei (Inner) Monggol ar
NX Ningxia (Hui) ar
NYT New York Times
o October
PD People's Daily

PK People's Korea
PRC People's Rep. of China
QH Qinghai Province
QN Qishi niandai
R Reuters
RB Ribao (daily newspaper)
ROC Rep. of China (Taiwan)
S September
SC Sichuan Province
SCM South China Morning Post
SD Shandong
SH Greater Shanghai
Sh SPEAHRhead
SK South Korea
Sn Shaanxi (Shensi) Prov.
SX Shanxi (Shansi) Prov.
T Tibet (Xizang) ar
TJ Greater Tianjin
TK Tokyo
TW Taiwan
U USSR
UPI United Press Int'l.
v volume
WP Washington Post
XH Xinhua/New C News Agency
XJ Xinjiang (Uyur) ar
YN Yunnan Province
¥ RMB (PRC), yen (Japan)
ZJ Zhejiang Province
ZM Zhengming (HK journal)

nuchs, Empresses and Imperial Concubines Interfering in State Affairs," <BJ Wanbao 27N16D80>.]

ETHNIC MINORITIES. Renkou yanjiu (I) carried an article by Shi Chengli on the subject of population policies as they pertain to minority groups. {778095}

Over a thousand translators and editors in 17 publishing houses are involved in putting out publications in the languages of China's various non-Han nationalities. The houses have an annual "capacity" of 1,000 titles (20,000,000 "volumes") <BJ30o3N80>. About 200 titles (c. 2,800,000 copies) were published in 1980 <BJ24o5N80>.

The Yi language has now been standardized. One dialect is to be used generally; it serves as the basis of the writing system. These are being taught in 7,000 night classes. <BJ8I>

Tibet. Seventy-one of 75 county heads in the a.r. are Tibetans. Prefecture, county and municipal government bodies are 76% Tibetan. (They had been only 47% Tibetan).

<BJ24D29>

Chinese authorities have denied permission to a group of Tibetan exiles to visit their homeland this year. (WP-30A)

The Far Eastern Economic Review (26D80) carried a long commentary by Jetsun Perma Gyalpo, sister of the Dalai Lama. Ms. Perma Gyalpo wrote: "The Tibetan people are in danger of being exterminated both as a race and as a culture."

Renowned Qinghai scholar Xerab Hyaco was "cruelly tortured" during the Cultural Revolution and died in 1968. He has since been rehabilitated. <PD19D80,13I81>

MOSLEMS. The official Minzu tuanjie (j80) has acknowledged that members of minority nationalities such as Hui have been discriminated against in employment. {776642}

This winter the Hebei Provincial Party Committee issued a directive concerning minority policy. In Hebei this affects primarily Hui, who are now to be allowed to raise cattle and sheep "in the same manner as the Han are encouraged to raise pigs under a reward system." (Mongolian herdsmen are to be permitted to keep animals without restriction.) Minority schools (long closed) are to be reopened "within the next two years." Religion is to be tolerated (Qing Zhen Monastery recently having been reopened), but "lawless elements who use religion as a cover for subversive activities will be dealt with according to the law. {Heb RB 12I-77730}

The Iranian newspaper Sobh-e azadegan {18 F77844} carried a commentary highly critical

of Peking's policies toward China's Moslems. The British newspaper The Financial Times is cited to the effect that the government intends to increase the population of provinces along the northwestern frontier (which presumably refers primarily to the Sinkiang Uigur Autonomous Region, population roughly 10 million) to 100 million. This probably could only be achieved by means of massive Han immigration, thus relegating the once-dominant Moslems to a tiny minority in their own land.

SPEAHR has received copies of letters (in various languages) concerning the plight of Uigurs and other Moslems in China. Because we cannot trace the source, we are not publishing in SPEAHRhead the information they contain. However, copies will be made available to SPEAHR members on request.

02-U. SOVIET MINORITIES. The security bureaus in some parts of the USSR populated by ethnic minorities appear to be increasing their political influence. KGB chiefs in Kazakhstan, Kirghizia, Turkmenia, Uzbekistan and Tajikistan have recently gained important positions in the republics' political structures. (FEE20M)

Tatars. Rachat Dzhemilev, a 47-year-old engineer, was put on trial in 1979 and may have received a sentence of up to five years. He had publicized the fate of his fellow Tatars, who had been deported from the Crimea to Uzbekistan and Kazakhstan after World War II. <L'Aurore (Paris) 9a14'79v3>

05-C. TORTURE. Lin/Four have been accused in Red Flag <1D15'80> of "torturing to death" 34,274 and persecuting 727,000 during the decade-long Cultural Revolution.

In the mid 1970s, well-known soprano Wang Kun was jailed and subjected to "cruel torture" for many years "on orders from Jiang Qing," who had charged Wang with maintaining "illicit relations with foreign countries" and having connections with enemy agents in Hong Kong." <BJ25D30'80>

According to reports from the Chinese Nationalists on Taiwan, Jiang Qing claimed at her trial on December 24 that she had been tortured by having a 30-kilogram plate hung around her neck. The report disallows the claim, and suggests that none of the defendants in the case was tortured. (CP 23F)

PLA. Beijing Radio has accused Qiu Hui-zuo of setting up illegal prisons for the army's General Logistics Department, at which confessions were extorted through torture. Among the 462 who were "framed" there, eight died <20D22'80,10D11'80>. Wu Fa-

xian is said to have framed and persecuted 174 Air Force officers (apparently c. 1967) <9D10'80>. Lin Biao and Jiang Qing are held responsible for 80,000 erroneous PLA cases in which 1169 died <16N17'80>. PLA Commander Wang Yaowu was "persecuted" and died in 1967 or 1968 <29m30'80>.

CAPITAL PUNISHMENT. Three quarters of the world's governments kill individuals who violate social norms. Engaging in this practice are all the nations of East Asia.

Executions (criminal). People's Daily <25F4A80> defended the use of capital punishment as a means of deterring crime, but it noted that the law "stresses the necessity of executing as few people as possible."

Heilongjiang worker Bi (Shengshen? Qing-shun?) was illegally detained and beaten to death "in violation of his human rights." He was alleged to have stolen metal worth 70 yuan. The trade union undertook an investigation of the case. <HLRB-15o21'80;BJ1N3'80>

Similar cases of extreme punishments being meted out by low-ranking cadres for minor offenses have been reported in other areas of China, particularly Guangdong. There, two youths who were alleged to have stolen trees from a forestry unit, were tied, beaten, and locked in a cupboard. One died and the other suffered serious injuries. (FEE14N80)

In Harbin, convicted murderers Yuan Mingfen and Wang Qizhi were given death sentences. <19A21'80>

In Shanxi, Liu Tingsheng and two other young men were given death sentences for robbery and murder. In reporting this case, Amnesty International ("Urgent Action" 27M) comments: "A particularly large number of death sentences and executions were reported in various Chinese provinces during the last months of 1979 and early 1980. Although the majority of death sentences (or executions) reportedly concerned people convicted of rape or murder, other death sentences were passed on people charged with non-violent offences such as embezzlement and some political offences."

Executions (political). China has put the number of people who died from "persecution" during the Cultural Revolution at 30,000 (out of a total of 700,000 who were "persecuted"). (FEE-21N80)

In Yunnan, Kang Sheng and Xie Fuzhi's charges led to the persecution of "large numbers of cadres and ordinary people," with over 14,000 dying (1968). The two were also blamed for the persecution of 346,000 Inner Mongolians, with 16,272 dying. And they "falsely accused" Xinjiang people in cases

going back to 1942; 92 were persecuted, 26 died (1967). Between 1967 and 1969, Lin/Four are said to have been responsible for the persecution of 90 people in Manchuria, several of whom died. Some of the cases traced as far back as Chang Hsueh-liang's time (1946). <16N17'80>

Chen Boda is said to have admitted responsibility for "persecuting" 84,000 party members and cadres in eastern Hebei, 2955 of whom died (presumably in the late 1960s)

<30N1D80,1D19>

During the Cultural Revolution, 10,289 Pekingese are said to have "died from persecution" <17D18'80> including (as we previously reported) writers Liao Mosha and Wu Han. Historian Yuan Zhen was persecuted to death in 1969 (the same year as the death of her husband Wu Han) <23D29>. Wu had been defended by Beijing Party Propaganda head Li Qi, who died in 1966 after "persecution" by leftists <GM10j16'79>. In a related case, People's Daily <6a15'79> carried a long obituary with an account of the life of writer Deng Tuo, also killed after being criticized early in the Cultural Revolution.

Former Emperor Aisin Ghiorroh Puyi and former Kuomintang general commander Liao Yao-hsiang were "persecuted" and died in 1967-68. <29m30'80>

Gansu Agronomist Mao Yingxin was executed in 1970 because of her opposition to leftists. <GS30N2D80>

More than a hundred members of the Shanghai Public Security Bureau are said to have been "persecuted to death" at the hands of the "Gang of Four." Among them were Wang Jipu who had been responsible for Jiang Qing's personal security until he refused her orders to retrieve her background records from official files, was arrested on her orders and died of abuse in 1972. Twenty-five others were also arrested. <BJ24D30>

Wei Heng, first secretary of the Shanxi Party Committee, was "persecuted to death" by leftists in 1967. There were "100,000" other miscarriages of justice in the province at about that time. <6D9D80>

In Guangdong, Huang Yong-sheng is said to have "admitted primary responsibility" for the persecution of 7,100 framed victims. About 85 died,

including Vice Gov. Lin Qianyun. <BJ8D9'80>

Jiang Qing is blamed for the deaths in 1967 of Coal Minister Zhang Linzhi <BJ23D30> and model worker Shih Chuanxiang. <23D24>

Once-acting Party secretary of the China Federation of Literature and Art Liu Zhiming suffered "relentless persecution" and died in 1968 at the age of 63. <13a15'79>

Zhang Wentian, who had been Secretary General (head) of the Chinese Communist Party in the mid-1930s, died at the age of 76 in 1976 "under persecution" by Lin/Four. Xinhua disseminated an article written by his widow detailing the treatment he had received. People's Daily <25a27'79> reprinted his essay "Politics and Economics under Proletarian Dictatorship" on page 1, its thrust being that "inner-Party struggle should be completely carried out."

The Cultural Revolution took a toll among people associated with the "united front." For example, early revolutionary and United Front functionary Xu Bing was tortured during the Cultural Revolution, evidently dying as a result <PD22m21'80>. Also, KMT Revolutionary Committee central committee member Huang Shaohong died in 1966 "owing to persecution" by leftists <BJ31D2I>.

Propagandist Hu Xiqiu died after "persecution" in 1970. <3A17m80>

Former Minister of Building Materials Liu Xiufeng died in 1971 "as the result of persecution." <6m7'80>

During the Cultural Revolution in Shanghai there was a secret service organization called "224" headed by You Suetao. Almost 400 innocent cadres were framed by it; 183 were persecuted, 5 died. <BJ4D5'80, 4D8'80>

Tianjin journalist Wang Renzhong "died of persecution" in 1967 at the age of 57. <17A19'80>

Former Vice Minister of Light Industry Deng Jie "became ill under pressure of the counterrevolutionary line of Lin Biao and the Gang of Four" and died in 1979 at the age of 77. <BJ7A8'79>

Revolutionary figure Shen Bochun, who had participated in the Xian Incident in 1936, was "ruthlessly persecuted" by Lin/Four. <18j31'79>

The health of former Harbin Party Secretary Lu Qien "was ruined under pressure of the ultraleftist line;" he died in 1979 at the age of 68. <25j30'79>

Agricultural expert Li Qingyu was "persecuted" by leftists and died in 1972 at the age of 79. <BJ18j19'79>

Former Suixi First Party Secretary Gao Xintai and former Deputy Secretary Wang Zhenmin of Huabei Mining Bureau Party Committee, were beaten to death in 1969. <18m30'80>

Former Xinjiang Party Standing Committee member An-ni-wa-er-jia-ju-lin was "seriously persecuted" and died in 1975 <4N7'80>. The vice chair of the regions's People's Council, Ai-si-hai-ti Yi-si-ha-tuo-fu, was "seriously persecuted" and died in 1976 <4N7'80>.

In Shanxi, Puxian County Party Secretary Yang Hueizhou was "hounded to death" on framed-up charges. According to Guangming Daily, 200 other victims in the case have still not been rehabilitated. <BJ18o21'80; 19o29'80; 29o31'80; SX RB19o3N80 with correction 4N>

EXECUTIONS (criminal). Amnesty International has launched a campaign against the death penalty in specific countries, including China, and has published the names of numerous people sentenced to death. (See "Noteworthy Publications," p. 40-42.) In the cases of some, such as alleged murderer Liu Tingsheng, the organization has sponsored "Urgent Action" campaigns in an attempt to save their lives.

An escapee from a labor reeducation camp (apparently near Peking) was executed. Originally, he and two others (who also escaped from the camp) had been convicted of wounding a bus conductor. <Beijing wanbao 29M3A80>

05-JP. CAPITAL PUNISHMENT. Despite Buddhist injunctions against the taking of life, capital punishment is an ancient practice in Japan. Although executions are little publicized, and the number has been declining in recent years, there were 565 instances of it between 1945 and 1979.

05-TW. EXECUTIONS. Four young men were executed by firing squad after conviction for robbery and murder (FEE-14N80). See also 00-TW.

There have been a number of cases of people being killed after being taken into police or military custody. The most sensational case was that of Professor Ch'en Wen-ch'eng of Carnegie-Mellon University (Pittsburgh, USA), a highly respected mathematician. Dr. Ch'en had been detained in connection with a political investigation by the Taiwan Garrison Command on July 2. Although he apparently was released (after a day of questioning), he was never seen again alive by his family. His body was found the next morning on the grounds of Taiwan University. (Sources too numerous to list. Best accounts are FEE 31j, 7a; see also "Noteworthy Publications," pp. 40-42.)

The facts are equally bizarre in the case of alleged drug user/murderer Fu Tung-sheng. As he was about to be arrested "he took poison and banged his head against a wall trying to commit suicide when the police were trying to subdue him," dying as a result. The Taiwan Daily News (a former independent newspaper taken over by elements close to

Chinese Transliteration

Unhappily, it only seems appropriate to romanize Chinese according to the way it is done in each land where the language is spoken. Thus, the pin-yin system is used for the People's Republic of China, the Wade-Giles system for Taiwan, and Cantonese for Hong Kong. Although the latter is quite straightforward, the first two systems have many pitfalls, some of which are explained below:

Pin-yin	Wade-Giles	actual pronunciation
c	ts'	ts
q	ch'	ch
r	j	r
x	hs	sh
z	ts	dz
zh or j	ch	j

the military) added: "Fu was only a thug, an inconsequential person.... His death is not worthy of any pity.... We hope that more severe penalties will be instituted to insure better public security. (CP1,2A)

TORTURE. In what was not the first case of its kind, a man confessed to a crime which (it turned out) had been committed by someone else. Tao Wei-hsin "confessed" to stabbing Kungfu actor Wang Yu. (CP31I)

Shih Ming-teh, the highly-respected manager of the now-defunct Formosa Magazine and now imprisoned on Taiwan's Green Island, has been beaten on at least two occasions this year. Very uncooperative with prison administrators (he was not supposed to tell visitors about his beatings) they retaliate against him. In addition to the beatings, he is given dirty water to drink and bathe in. Shih's health is not good; he is said to be having trouble with his back and jaw.

We have received information about what sort of people beat prisoners. Boys (usually relatively handsome) are selected for this type of "work." They go to special military schools where they are cut off from normal social intercourse. They receive training in "social education" which is entirely oriented towards Kuomintang ideals and has no relation to larger social issues. They are given rigorous physical training, and become very muscular. They are later organized into teams, each under the direction of an

older man, and then go to work on the political prisoners.

05-SK. TORTURE. It has been reported that Han Soo-san, a prominent South Korean novelist who had highlighted working conditions in coal mines, was given extreme forms of electric shock torture. He was forced to implicate eight other people who apparently were also tortured. (North American Coalition for Human Rights in Korea.)

09-C. POLITICAL IMPRISONMENT. The detention of a Shandong brigade Party secretary in connection with a policy dispute has been termed illegal. <11N17'80>

Guo Weibin, a former Heilongjiang official who was imprisoned for 11 years, has now been honored. <4S9&6S9'80>

Yunnan's Wang Yongkun and 10 others have been convicted for their political activities at the end of the Cultural Revolution. They "secretly wrote counterrevolutionary posters and slanderous banner slogans, and made false charges against Party and state leaders." This was said to have been indicative of intent to "overthrow the government." <23I26I>

Similarly, a tribunal in Xian has pronounced sentence in the case of 10 former Shaanxi political figures who are now deemed "counterrevolutionaries." Shaanxi Daily <26I> editorialized that the sentences (unspecified) had been in the interest of "the Party, army and people of various nationalities," and that the trial had educated the people. The paper said that it was necessary to be "resolute and merciless" against leftists.

Yue Zengshou was released from prison after serving 18 months of a 25-year sentence, but complains that those responsible for his wrongful imprisonment have not been brought to account. <21S8o80>

Twenty Hebei students demonstrated in Peking. They left the scene in a bus surrounded by police. <AFP-1N3'80>

Labor camps. Last year, the 1957 regulations concerning labor reform were republished, and Guangming Daily praised the labor reform system. The N Y Times carried a lengthy investigative report by Fox Butterfield on conditions in such camps. There was said to be a vast network of the institutions located in every province and major city, with especially large camps in such remote regions as Qinghai. Altogether, the camps house over eighty percent of all prisoners, with the remainder in short-term

jails. Estimates of the total population of 143 camps vary from several hundred thousand to a million. Technically, prisoners are divided into three categories: ordinary criminals sentenced to straight jail terms, people sent for reform through labor, and those given the milder "reeducation through labor." But in practice, the different groups are often lumped together. Also, because most detainees (whether common-law criminal or dissident) are termed "counterrevolutionary," it is difficult to distinguish between political and non-political prisoners. (The government insists that there are none of the former.)

A person who was once a Red Guard recounts: "To get you to confess, they don't use physical torture. I could have stood it better that way. It was all mental pressure. ...First, you had to do a rehearsal. They made you memorize the text they had written out. They would say, 'Read this sentence sadly.' In some places they added the word 'pause.' That was so the masses could yell at you. Once I couldn't remember what came next. They said I was trying to cover up.... Eventually, they gave me the paper so I could read it." <NYT-3I>

Fu Yuehua. The best-known woman activist of China's democratic movement was released from prison this spring after completing her 2-year sentence. Prison officials described her behavior in prison as "so-so." "She was not considered very good or very bad. She was just an ordinary prisoner. In general, she could abide by the regulations and accept education for reform."

Ms. Fu had been one of about 1,900 inmates of a Peking municipal prison, of whom 120 were political cases like Fu (the only woman among these). (SCMP-14m)

Other arrests, releases: See 18-C and 39-C.

09-SK. KOREANS RELEASED. On December 10, 1980, Seoul released seven political prisoners, including the celebrated poet Kim Chi Ha. Justice Minister Oh Tak Keun said that a "new era" was beginning, and the government had decided to release prisoners who had repented their past mistakes. However, no statement of repentance was made public. Others released included six who had taken part in an anti-government demonstration after Park's assassination in 1979, and Professor Yu In Ho (a co-defendant of Kim Dai Jung) (WP-12D80, FEE-19D80). In August, a thousand convicted criminals, but no political prisoners, were amnestied (NYT-15a).

Kim Dai Jung. There have been conflicting reports on whether or not Seoul intends to release Mr. Kim from prison (NYT-11,15a). (Because the trial of the former presidential candidate and the commutation of his death sentence to life imprisonment were so widely covered in the Western media, we are not recounting it here. For details, see NYT 12,15,17a80, 13,17,18S, 24,27o, 20N, 1,7D, 23I; WP 21,23S, 20,27N, 24,27I; FEE19D-80; CSM 14S; and various issues of KC and MRKA.)

A.I. REPORT. On March 1, Amnesty international issued a report on the subject of human rights in South Korea, and launched a campaign against political imprisonment and torture in that country. Amnesty said that although it welcomed the lifting of martial law, as well as the release of some prisoners and reductions of other sentences, it was nonetheless concerned that laws were still in force which enabled the authorities to mete out heavy punishments for non-violent dissent or criticism.

Kang Jong Kon. A "rescue society" has been organized for Mr. Kang in Japan (c/o Prof. Kohei Takahara, Metokukan, Doshisha University, Kyoto). Kang is one of over 100 overseas Koreans arrested in 1975 as part of what later became known as the "November 22 Case." He was charged with having "received money for one Yamada X while in Japan for which he leaked secret intelligence gained in South Korea." Last year he was transferred to Taegu Prison, where he is to complete his 5-year sentence.

Sungkyunkwan University. Five students were detained for questioning in connection with alleged anti-government propagandizing, after between 400 and 4,000 students protested similar attempted arrests. (WP-7N80)

09-TW. "ILLEGAL" TRADE. One of the charges against Taiwan Legislator Huang Hsin-chieh was that he had been involved in buying baby eels from the PRC. Such trade is technically illegal for Taiwanese, and Huang was given a 15-year prison term ostensibly for this and other reasons. However, those more favored by the regime are allowed to trade with the PRC, and there are reports from China and Hong Kong that the trade between Taiwan and China has been going on at a substantial level. According to an article in the Communist journal Zhongguo Jianshe <15N21'80> the volume of trade has been increasing because "both sides have taken measures to facilitate it." According to another account, a

wide variety of products from Taiwan are available in Chinese stores <BJ25N1D80; 15N-18'80>. (So much for the "crime" of Huang Hsin-chieh!)

Yeh Tao-lei (Rita Yeh), 29, an American-trained sociologist, was convicted of "sedition" by a military court in January and sentenced to 14 years imprisonment. According to official press reports, Ms. Yeh had been "discovered" in August 1980 after "she tried to mail a pamphlet with names and addresses of government officials" to a friend in the United States. (CP-131)

Kao Hao-yuan, 27, a merchant seaman, was arrested and accused of "sedition" in November 1980 after he allegedly had been in contact with Taiwan independence advocates in the United States (Shijie ribao 12N80, Lianhe bao 5080). Charges that Kao had associated with exiled elder statesman Kuo Yü-hsin have been denied by Kuo.

Li Ching-sun's case was highlighted by Amnesty International this past winter. Li, a prominent journalist before his arrest in 1970, is serving a 15-year prison sentence on charges of pre-1949 Communist affiliation.

(Amnesty Action I)

Meng Shih-chieh, a 54-year-old Henan-born taxi driver, was given a 5-year sentence on 15 Nov. 1980 by a military court for having made "verbal propaganda for rebels" and saying that "democracy in Taiwan is a sham." The charges were based on remarks Meng allegedly made to fellow taxi drivers. He is in Hsintien Military Prison. It is reported that he served a 3-year sentence beginning in 1958 on similar charges.

<BJ21N24 and our own sources>

Other taxi drivers held on political charges are Fu Yao-kun, 48; Liu Hua-ming, 36; and Wu Cheng-ming, 26. They are in Kuei-shan Prison.

KAOHSIUNG PRISONERS. From our own sources we have received the following information:

Ching-mei Prison. Six of the better-known convicted men are at Chingmei Military Prison near Taipei. (For background, see SPEAHRhead 9, especially supplement). Their conditions are in some ways better than those of prisoners elsewhere. They enjoy two or three hours exercise per day. One day per week they are allowed to work in the factory. However, Lin Yi-hsiung and Chang Chun-hung have felt obliged to give up work privileges because other prisoners who spoke with them in the past were punished for so doing. When not working or exercising they are kept in solitary confinement in "tempor-

ary" cells--so called because they were designed for rapid occupant turnover during periods of interrogation. They are not suited for long-term occupancy. The cells are lined with a soft plastic material designed to thwart suicide attempts. The cells are very small, and have only a single small window or vent near the ceiling, and a small opening at the base of the door through which food is passed. Thus, there is only minimal air circulation, and with the damp summer heat there is a problem of mold, fungus, and mosquitoes. Prisoners (especially Lin Hung-hsuan) complain of skin rashes and allergic reactions. There is only one piece of plumbing--a porcelain fixture which is used as a toilet as well as for bathing and laundry. It is difficult to keep it adequately clean.

Chang Chun-hung, Taiwan's renowned intellectual, has high blood pressure and complains of "heart pains." He is having difficulty adapting to the harsh environment. It is unknown whether he has received any medical attention. In the past Lin Hung-hsuan has had back trouble, but he is now better. Lin Yi-hsiung remains in poor psychological condition, doubtless in part because of the murders of his mother and daughters (see SPEAHRhead 6/7). Their bodies have not been buried.

Kuei-shan Prison. Of the original 33 civil-court defendants, at least 21 are still in Turtle Mountain (Kuei-shan) Prison (see SPEAHRhead 9 supplement p. 4). At least 10 have been released after completion of their terms. No one has been held beyond his sentence. Those remaining are not due for release for some years. Prisoners' health is generally improved since our earlier report. Visits from outside physicians are possible. For example, Chi Wan-sheng has been seen by a doctor from Taiwan University Hospital. His back and skin condition are improving, and his ear condition (he is almost deaf and in pain) is being attended to.

Because these defendants were prosecuted under "civilian law," they may receive visitors not only from family members. Prisoners and visitors are separated by glass and speak through microphones. Topics of permissible conversation are limited, and microphones immediately go dead if forbidden subjects are discussed. These civil-law prisoners may also receive mail from non-relatives, so long as the letters are non-political and the address includes the inmate number (available from SPEAHR).

T'u-ch'eng Prison. The two leading women prisoners at Tü-ch'eng Prison, SPEAHR/Inter-

national Board member Ch'en Chu and feminist Lu Hsiu-lien, had been sharing a cell, but were separated (reason unclear). Their physical conditions are described as "basically comfortable," though Ch'en for some time has been coughing up blood and has lost considerable weight. Lu has been very distraught over the death of her mother. (The government announced in the press that Lu was allowed to attend the funeral, but this is not true.).

Also at T'u-ch'eng Prison are Lin Wen-cheng and Chang Wen-ying. Both women were implicated in the hiding of fugitive dissident Shih Ming-teh. Lin has health problems, induced or exacerbated by worry over various personal problems. Chang is scheduled to be released at the end of the year.

Green Island. We have received reports concerning the physical abuse of Formosa Magazine general manager Shih Ming-teh (see under 05-T). Only relatives are allowed to visit him, and it is difficult for them to get to such a remote place. Recently when his sister went, she was called for a one-hour conference with prison authorities before being allowed to visit Shih. She was given a detailed list of subjects which she was not allowed to discuss with Shih. In particular, no mention was to be made of his wife, Linda Arrigo Shih.

Li Ch'ing-jung's situation has improved markedly. He is no longer in solitary confinement. Not only is he allowed to work, but he is given a desirable job--delivering food to prisoners' cells. His treatment is very unusual.

Chang Hua-min (like Li) is a mainlander, but he has no relatives who can keep in contact with him or send him money (which is essential for Green Island inmates--whom non-relatives are not allowed to contact). Chang is former campaign aide to Legislator K'ang Ning-hsiang.

OTHER CASES. Wang Ching-hsiung is another mainlander without relatives on Taiwan. A Buddhist philosopher, he has resisted the mandatory political indoctrination. Term has ended, but he has not been released. (For more on Wang, see Sh 9, p.7; QN I, p. 77.)

Also on Green Island are political prisoners who have been there since 1950 because of alleged leftist political sympathies. Many of these men are very sick, both mentally and physically. (More information on these cases is available from SPEAHR.)

Hung Chin-chang, a 51-year-old Hsinchu man, was arrested in January. Although his

only relative is able to write to him (to a P.O. box), authorities refuse to tell her where he is. He is slightly paralyzed as a result of an earlier stroke.

10-C. RIGHTS OF ACCUSED. PD <11D15 '80> carried an article by Ma Rongjie on accuseds' right to defense counsel, as specified in China's constitution. It is pointed out that China had a short-lived system of lawyers in the mid-1950s, which was re-established in 1979. Gongjen RB {j80-76466} carried an article by the same writer on the legal equality of cadres and ordinary citizens.

WE NEED LAWYERS

From *In Search of Truth*, 1 March 1979

The Constitution provides: "The accused has the right to defense." Why does the accused have the right to defense? I personally feel that it is because the accused may not necessarily be guilty. For a complete investigation and clarification of the case in order to determine whether the accused is guilty, of what crime is he guilty of, and the seriousness of the crime, the accused needs the right to defense.

The main function of the lawyer is, before the final judgment of the court, to defend the accused in open court according to the constitution and the law, and the facts. According to the constitutional provisions, I feel that the accused may exercise the right to defense on his own behalf, or he may entrust a lawyer to do so. As ordinary people do not have much legal knowledge, while lawyers are familiar with the law, it is necessary for an accused to entrust a lawyer to defend him in open court. There are also cases which are unjust, false, or erroneous, and they are difficult to solve at the trial or appeal; therefore, the service of a lawyer is also required.

In addition, cases involving organs, enterprises, organizations, and foreign affairs or nationals all require the services of lawyers, such as, signing contracts, settling reimbursements, handling litigations, etc. In sum, all matters concerning law require the aid of lawyers.

The work of the lawyer will help protect the legitimate rights and interests of citizens, organs, enterprises, and organizations, reinforce the revolutionary legal system, develop the socialist democracy, avoid the occurrence of unjust, false, and erroneous cases, defend the interest of our country abroad and further international intercourse, and promote the socialist modernization of our country. Therefore, today, not only do we need lawyers, but we need many lawyers. According to the constitutional provisions, I personally feel that it is legitimate for individuals to work as lawyers or part-time lawyers. I hope that those with the ability to do legal work will voluntarily undertake such work. I propose the creation of a lawyers association.

{73922}

China has only 2000 <BJ29o30'80> or 3000 <4N80> lawyers. There is one for every 10,000 city dwellers, but only one per 50,000 in the countryside, according to Vice Minister of Justice Wang Yuechen. Beijing radio <23S24'80> reports: "In some places there are cadres who still do not quite understand

the meaning and role of the work of lawyers." It is proper for lawyers to "speak in defense of the accused," which will enhance the quality of justice <BJ23S24'80>.

The Hong Kong magazine Ming Bao <12j27'79> carried an article critical of China's procuratorial system.

12-C. REHABILITATIONS. As of last December, 1,130,000 criminal verdicts of the Cultural Revolution era had been reconsidered, with 251,000 of them being reversed (Aw-5D80). More recently, Banyue Tan has reported that the cases of 860,000 shopkeepers and small factory owners had been investigated, resulting in a finding that 86% (700,000) of them had been laborers rather than exploiters (AR j).

Yang Xianzhen, the once-disgraced head of the CPC Central Committee's school, has been rehabilitated. Now 85, he is said to have been "persecuted" during the Cultural Revolution. (WP8N80)

Hu Feng, whom AFP terms "China's greatest dissident writer," was rehabilitated 25 years after Mao ordered him imprisoned as a "counterrevolutionary." HL-RB and ZM have carried details of the case. <14N1780>

Beijing: 37 Liu Shaoqi-related cases have been redressed, with labels such as "renegade," "traitor," and "scab" being removed <15A80>. Lin Xilin, who was an outspoken student during the 1956 Hundred Flowers movement and subsequently imprisoned, has been rehabilitated. She has written about her experiences in the magazine Minzhu yu fazhi. She is reported to be teaching in Hangzhou.

<AFP-21F29'80>

Jiangxi. Between Jan. and June 1979, 4,500 verdicts (93% "of a political nature") were reversed. Among those affected: well-known ophthalmologist Yang Baoliang. <12a14'79>

Gansu. "Wrongfully-charged persons" numbering 399,000 are having their cases reinvestigated. Most of the individuals are cadres, professionals, or people engaged in commerce. <16o21'80>

Shanxi. About 200 persons implicated in the so-called "Pu County Armed Rebellion" have been exonerated. It has been revealed that Party Secretary Yang Guishou "died under a cloud of injustice," for which leftists are blamed. <27N3D80>

Sichuan. Citrus expert Zeng Mian was abused during the Cultural Revolution because he was deemed a "reactionary academic authority" and "enemy agent." He still "has not been completely cleared of these charges, contrary to the Party's policy on intellectuals." <BJ7N10'80>

People's Daily complained that the rehabilitations of victims of China's Cultural Revolution have been progressing too slowly. The case of a former Shandong local propaganda functionary cited. In this instance, province's vice governor was deemed responsible for lack of action <17D19'80>. Similarly, a county secretary in Tianjin was condemned for obstructing the rehabilitation of one Liu Baojin <25A5m80>.

Attacks on reputation. Before the verdict on Jiang Qing was handed down, the Chinese press was describing her as "a jackel in human skin," a "beast," a "she-devil," and "the butcher of the century." <BJ25D29;31D>

13-C. MIGRATION. The desire of people to live in cities continues to be a burning issue in Chinese politics. In rural Sichuan, some cadres have been guilty of corruptly facilitating their relatives' transfer to cities (GM28N80,p.1). At Aksu, Xinjiang, 70,000 resettled youths (many from Shanghai) are reported to have demonstrated, triggering a 10,000-person Shanghai demonstration on their behalf. Two leaders of the latter demonstration, Ouyang Lian and Wang Liangde, were taken into custody <HK Times, 2F>.

People formerly designated "landlords," are not generally permitted to move back to their native villages, even if the "landlord" label has been removed. <GD12ml6'80>

13-MPR. REFOULEMENT. Six or 7 Chinese have been expelled from Mongolia. Charges against them include "malicious deeds" such as "group infringement" (gruppovoye posyagatelstvo) against the personal freedom of citizens, and improper economic activities.

<Montsame 22M25'80; 253'80>

13-TW. FOREIGNERS. The Chinese Nationalists have taken steps to confine or expel foreigners expressing unwelcome views. Taiwan's Executive Yuan has asked the Ministry of the Interior to draw up specific regulations governing aliens. (Lien-ho pao 8m)

13-SK. RETURNING DISSIDENTS. South Korean authorities have announced that dissidents living abroad can return home regardless of their previous activities. (FEE20M)

14. REFUGEES. During the first five months of 1980, 39,661 refugees from Vietnam have landed in ASEAN countries as well as Hong Kong and Macao. Japan has increased its financial support for the refugees (to \$100 million for the last budget year) and is now willing to accept the refugees for settlement. However, the current (and expandable)

quota of 3,000 is unfilled, inasmuch as most refugees prefer other countries such as the United States, a society they consider more congenial than Japan's. A Foreign Ministry spokesperson explained, "The mesh of Japanese social structure is so minute that it is so very difficult to absorb an alien element. There is acceptance of refugees in principle by the Japanese, but when it comes to their own community I have to admit there is still resistance." (NYT-16j; Aw-3j)

15-C. NATIONALITY. China has adopted a new nationality law (10S80) and published its text. <13S15>

16-C. MARRIAGE. A new marriage law has been adopted by China's National People's Congress, and became effective on January 1. Marriage to be based on the "free choice of partners, monogamy, and equal rights for the sexes." The law contains a flat statement that "family planning is practiced." The complete text of the law appeared in Beijing Review (16M).

A secret Central Committee document has described the many traditional peasant customs banned since 1950 which continue. In a commune in Shanxi, 43% of the children under the age of 5, and 80% of those under 10, had been betrothed by their parents. In Fujian, suicides and mental illness have been caused by similar practices (NYT-31D). Asiaweek (29a80) has reported on bride prices.

Increasing flexibility on the part of the courts has resulted in an increased number of divorces. However, there were only 3,900 divorces in Beijing last year--compared with 148,000 marriages (AR-J), and in most other areas the rate was doubtless even lower. From January to July of last year, Beijing courts received 2131 divorce applications, 1208 of the cases being "settled" and the others withdrawn after mediation <5o6'80>.

Marriage plans between a Chinese textile worker and her fiancé from South Yemen were stifled by the two people's governments, driving them to suicide. (WP8N)

16-TW. PURCHASED DIVORCE. A Taiwanese woman paid her boyfriend's wife NT\$100,000 in return for granting the man a divorce. (CP18A)

18-C. RELIGION. A conference concerning the promotion of atheism was held <GM17N19'80>. Soon thereafter, Guangming RB <3ON22D> carried a long article upholding atheism but nonetheless urging greater tolerance on the part of cadres toward those who practice religion. "Religious concepts stem from man's ignorance, perplexity, fear and inability

[to do anything] about natural forces....As a whole, they do not pose an outstanding and acute problem in our country." Non-believers have the right to express their views, but they must respect the religious feelings of believers and should not publicize their views in houses of worship or when religious activities are being conducted.

The selling of religious items and other "superstitious objects" was condemned in People's Daily <5m7'80>. In the largely minority province of Qinghai, the practice of religion by Party members has been strongly criticized <19m20'80>.

In general, there has been much greater tolerance of religion. The sacred Taishan Mountain has been reopened for pilgrimages, though signs of desecration stemming from the Cultural Revolution persist. (AR-J)

Buddhism. In Fujian, young acolytes are preparing to become monks at the great monastery at Kushan, where 50 monks now live <AFP-5A9'80>. In Anhui, monks and nuns have been rehabilitated, and there are 127 of them at Mt. Jiuhua <18N19'80>. In Jiangsu, 25 houses of worship (of various religions) have been reopened, including Nanjing's Qizi Buddhist Temple, and Suzhou's Xiyuan Temple <XH23A80>.

In Tibet, units of the People's Liberation Army have vacated the Lamaist temples which they had occupied {XH-I 77303}. The Tibetan part of Gansu Province was visited by NPC vice chairman Banqen Erdini Qoigy Gyanca, who stated: "Religious believers and monks in monasteries are citizens, and cadres shouldn't discriminate against them." Nonetheless, monks should "voluntarily" accept state supervision <5D10'80>.

Taoism. The Chinese Taoist Association held a conference last year, the first such assembly since 1971. <7m8, 12m13, 13m14'80>

Islam. The Fourth National Conference of the Chinese Islamic Association was also held. In outlining the Party's religious policies, Religion Bureau head Xiao Xianfa acknowledged that "it takes time to carry out the [new liberal] policy, and much remains to be done" <9A80>. In Beijing, the Qingzhen Si (Temple of Purity) Mosque reopened, after suffering depredations during the Cultural Revolution <AFP4o6'80>.

Confucianism. The temple at the birthplace of Mencius in Zhouxian, Shangong, has been reopened, after Cultural Revolution damage was repaired. It is 859 years old and has 64 halls. <BJ9A18'80>

Catholicism. Much has appeared in the Western press concerning the state of Catholicism in China. See: NYT23M, 29M; WP19F; FEE-

27M; AR-j; and in the '80 PRC media: <22m23, 25m29, 9N10>.

Protestantism. For western media accounts, see WP6080, <AFP5077'80>, AR-j, and China Notes (especially Spr.-Sum.'81).

18-TW. RELIGION. With the Presbyterian Church already under considerable pressure (see Sh 10 pp 16f), the media (all government controlled) last year emphasized the danger of the "religious fanaticism" of various sects. According to a speech by Liu Chang-po (widely reprinted), some religious adherents retreat so far into fantasy that they can no longer see the truth....Regrettably, some missionaries of foreign churches do not appreciate the religious freedom they enjoy in Taiwan. They take advantage of it to harm our country and people....Some missionaries have been even more audacious and reckless. They used their churches to engage in conspiracies, attempt to subvert the government and harbor seditionists.... History shows that if religious ferment gets out of hand, it leads to panic and chaos." (FCW22J80)

18-U. RELIGION. The Moscow publication Selskaya Zhizn carried an article on the need to combat Islam, with particular reference to Tadzhikistan. The authors, associated with the Scientific Atheism organ of the Tadzhik Academy of Sciences, wrote that "our ideological struggle recognizes no compromises or conciliation toward the clergy's intrigues." <3a16'79>

19-C. FOREIGN PRESS. Correspondants were officially advised by China's Foreign Ministry that they should "have nothing to do with illegal things in China" such as underground publications. The move appeared designed to end the flow of information about the democratic movement (much of the news having been reported back to China on Voice of America). (WP2S)

Willem E C Van Kemenade (Peking correspondent for the Dutch newspaper NRC Handelsblad) was required to leave China in May after Holland sold submarines to the Chinese Nationalists on Taiwan. Van Kemenade had extensive contacts among Chinese dissidents. (WP19m)

Foreign news magazines are normally available to foreigners in Peking. (They must be paid for with foreign exchange certificates; Chinese are not even allowed to leaf through them.) However, Newsweek's issue with a cover story on China was withdrawn from circulation. <AFP-17I19>

Domestic media. Hebei ribao {12I 77730} carried an article by Wang Zhaoping in which

the author argued that newspapers should be able to carry criticism of the Party. "The people have a right to criticize every single cadre if he acts contrary to the people's interests, and this is irrespective of the cadre's rank. As the ancient saying goes: 'The frankness of an educated person is worth much more than the quiet compliance of a thousand commoners.'" Zhejiang writer maintained that party members should be able to criticize the leadership, though not necessarily for publication. "It is better to let everyone have his say and let various opinions be voiced" <BJ21A6m80>.

But there has been less liberalism on the subject of the unofficial media. Wen Hui Bao <11F5M80> carried an article by Ma Jiabian criticizing dissident posters. People's Daily <16S3080> followed with a long article by Chen Jiang, who contended that "the contents of posters were usually groundless accusations and character assassinations." Another spokesperson insisted that "gossip" be stopped except when it "reflects the reality of the times and the will of the people" <9m15'80>. And Jiangxi Daily <29I2F> called for "unconditional unanimity with the Central Committee." While people could reserve judgement, "they are absolutely not allowed to put forward contrary opinions among the masses."

Thus, over the course of the past year, many unofficial serial publications have been banned, and those responsible for them imprisoned. On 31 Aug. 1980, the following were arrested (and their publications closed): Zhong Yueqin (Renmin zhi sheng [Voice of the People]), He Qiu (Renmin zhi lu [People's Road]), and Zhu Jiangbian (Gong he [Republican]). The last had been published in Changsha; the others in Canton.

This spring, there were many more casualties, including Yang Jing and Xu Wenli [see Sh 8] of April Fifth Forum (Beijing); Fu Shenqi of Voice of Democracy (Shanghai); He Qiu of Free Discussion (Canton); Zhang Yulin of Outcry (Wenzhou); Wang Yungjing and Ye Zhongwu of Zhi River (Hangzhou); Zhong Yueqiu of Shu-sheng [People's Voice] and North River (Shaoguan); Sun Feng of Waves (Qingdao); Wang Xizhe of the Li-Yi-Zhe posters and Learners' Bulletin (Canton); Zhang Jingshen of Gong ho pao [Republican] and of Liu lang zhe [Vagabonds] (Changsha); Chu Jianbian and Qin Yongmin of Zhongsheng [Ringing] (Wuhan); Liu Erhan of Bricks of Democracy (Anyang); Yang Zaixing of Enlightenment; Wang Tianyuan of Tianjin Review; Chen Erjin (Shandong), author of book: On

the Democratic Revolution of the Proletariat; Bang Guangzhong and Qin Xiaozhun of Fortnightly Discussions (Guizhou); and Liu Liping of Lixiang Tongxun [Bulletin of Principle] (Changsha).

For further information, readers are referred to the following Hong Kong publications: Monthly Bulletin on the Chinese Democratic Movement, Chinese Democratic Movement Express, and Qishi niandai {J, 778412}. The Monthly Bulletin's lists of unofficial Chinese publications were reprinted in Freedom Appeals nos. 9&10. See "Noteworthy Publications," pp. 40-42. <See also Unita (Milan) 23S26'80 and the following AFP 1980 accounts --20m21, 9S, 10S, 26S29 (two), 19o20.>

19-SK. MEDIA. In a "reorganization" of the South Korean media, three daily newspapers and several provincial newspaper offices were closed, and two news agencies (Orient Press and Hapdong News) were "consolidated" into a single central organization. The owners of the two formerly independent agencies would own 49% of the stock of the new agency, the newspapers holding the remaining shares. Also, the Tongyang Broadcasting Company was taken over by the government, and the Christian Broadcasting Corp. was no longer allowed to accept advertizing or broadcast general programming. These steps were orchestrated by the Defense Security Command and the Ministry of Culture and Information, evidently to give the military rulers continued control over the press after the termination of martial law. (NYT12D80, WP10D80)

For the first time in more than a year, international news magazines became available in South Korea last winter, even when they contained news about the country. (WP15F)

DEMONSTRATIONS. In March, riot police cracked down on anti-government demonstrators --particularly at Seoul University. (FEE27M)

19-TW. TAIWAN PRESS. Although the independent magazine Ba-shih nien-tai has been allowed to resume publication, in general, censorship has been heavily stepped up. Whereas newspapers had been allowed to publish fairly full accounts of the "Kaohsiung" political trial, books carrying the same information were not allowed to be published. Also, the government has taken action against various foreign news publications, particularly the prestigious Hong Kong daily South China Morning Post. (The Post's sin had been to spell Taipei [pronounced Tie-bay] the pin-yin way, i.e. "Taibei.") <AFP29A2m80>

The authorities have indicated that all newspapers would continue to be controlled by the ruling Kuomintang. On June 1 the Executive Yuan announced that the government had no intention of lifting the ban on the registration of new newspapers. The statement was in reply to an interpellation filed by Legislator Hsu Jung-shu, wife of the imprisoned political leader Chang Chun-hung. The government claimed that there were already enough newspapers and that a limitation was necessary "in order to let the newspapers develop soundly and to avoid vicious competition." (CP-2J)

21-C. ELECTIONS. The fairness of local elections during the past year in China appear to have varied from place to place, but the heavy hand of those in power is usually evident.

The crucial questions are how many candidates stand for office (relative to the number of positions to be filled) and the manner in which they are chosen. There are supposed to be substantially more candidates than offices, but there is evidence that this is not always the case <JL4S9'80>. Even where there are enough candidates, the number (and therefore the meaningful choices) are often greatly reduced through "democratic consultation" <BJ10j18'79; SD22M27>.

Elections for Beijing district congresses were described in the media in some detail. It is said that anyone nominated by one person and seconded by 3 could stand for election. All could vote except for 400 mental patients and 25 "criminals." In one district 130 of 348 winners were non-Party people.

<14o15'80; 11N13'80>

In Shanghai, a worker who ran for office in his factory in late 1980 and obtained several hundred votes, was arrested in April (NL-J). Nearby, the election of a county head by the county people's congress had to be voided because "a few leading cadres on the county Party committee went against the will of the people" <13N17'80>.

On Changsha college campuses, there was much potest over official interference in local elections. <AFP'80: 17o18, 18o20, 31o>

See also articles in Zhengming: Hsiao Cheng, "Jottings on the Mainland's Free Election Campaign (no. 38) <1D9'80>; and Cheng Kung-po article, A {778012}.

21-SK. POLITICAL ACTIVITY Participation has been greatly restricted by the Seoul government. 811 prominent opposition figures have been banned. \$ (WP13N80, NYT20N80)

Part Two

The Trial of Wei

Testimony of Witnesses

Judge: This court now calls upon Liu Jingsheng, who collaborated in the running of the magazine *Exploration*, to give evidence. Call Liu Jingsheng.

Liu Jingsheng, how old are you?

Liu: Twenty-five.

Judge: Where do you work?

Liu: At the People's Motor Vehicle Factory No. Four.

Judge: Today you are called to this court as a witness, where you must give evidence as stipulated by law. This testimony must be truthful and should you commit perjury or make false statements you will be punished according to the law. Liu Jingsheng, state the evidence you have to submit to the court.

Liu: I shall now deliver my evidence and state it before the court just as I would under normal circumstances. Firstly, in December 1978, Wei Jingsheng stuck on the Xidan Democracy Wall a small-character poster entitled "Democracy: The Fifth Modernization," in which he clearly showed that he did not recognize Marxism-Leninism and Mao Zedong Thought as our country's guiding ideology.

Judge: Talk slowly and a little louder. Don't be nervous.

Liu: If it were true that the Communist Government was a Chinese-style feudal dictatorship which denied the Chinese people the right to be masters in their own home then in point of fact he suggested this repudiated the 'superiority of socialism'. . . . [Some words omitted through lack of clarity.] this entitled them to follow a course of action contrary to the Four Principles. Once I'd read this article again, since he'd written down his name and telephone number on the blank space at the end, I got in touch with him, and together with Yang Guang and Lu Lin we formed the joint editorial board of *Exploration*. This was at the end of December 1978. At that time the editor's initial announcement of the new publication drafted by Wei Jingsheng was adopted by the rest of us. This announcement stated that the publication did not recognize any theory to be absolute truth, nor any individual to be the ultimate arbiter of truth. At the same time, basically speaking from this very moment with its initial announcement, the magazine itself was set on a course of opposition to the dictatorship of the proletariat and socialism. That's the first point I'd like to make.

Secondly, at the end of 1978 at Wei Jingsheng's friend's place, I saw Wei Jingsheng and Lu Lin together with two foreigners. I can't remember the specific details but the subject of their conver-

sation broadly concerned China's rural areas, the living standards in the countryside, and opinions about the Chairman. Another thing was young Chinese workers' opinions about Democracy Wall and our own publication. At this point Wei Jingsheng said with reference to the peasants' attitude, 'Chairman Mao was a great man but with regard to the peasants. . . . [The rest of the sentence was not recorded.]. The other things discussed were said by me and Lu Lin. That is the second point of my evidence.

Thirdly, it was after we sent the third issue on March 12 out for sale round the Xidan Democracy Wall that Wei Jingsheng proposed that I and Yu Yi should go by train to Tientsin to sell the publication there. At the time I thought it would not be convenient to take 900 copies along with us. Besides, if any outsider was to ask any awkward questions about what we were carrying I would not be able to answer. So because I wasn't in the position to borrow a car, I embarked on a criminal course of action by stealing a car. In Tientsin, Wei Jingsheng, Yu Yi and I handed out the publication and displayed it on the Wall. But it was just me who did the driving.

Fourthly, I noticed a tape-recorder at Wei Jingsheng's house, as well as a camera and a flashlight. I remember Wei Jingsheng saying that they were purchased from a foreigner and that he was paying on an installment basis.

Such is my stated evidence. For my own part, as a result of my criminal action, I have learned a profound lesson. In keeping with the Party's policy the Government has given me timely and lenient treatment. Now I have already returned to my place of work, and in my work I am determined from now on to uphold the Four Principles and make a genuine contribution towards the Four Modernizations. That is all I have to say.

Judge: Liu Jingsheng, who was it who got you to steal the car?

Liu: No one put me up to it.

Judge: Was Wei Jingsheng aware you had stolen it?

Liu: He knew nothing about it.

Wei: There is just one point in your evidence and that's about the matter of payment by installments. It appears you've not remembered it correctly. I said I would prefer to keep it and purchase it from him, which is not to say that he'd agreed to let me have it. Possibly you've forgotten.

Judge: Did you think of doing that. . . . [Judge's words not recorded.] Did you pay for them?

Wei: No they gave them to us. We didn't pay for them.

Judge: That is to say the flash attachment?

Jingsheng

Wei: No, neither the camera nor the flash attachment. They were my own.

Judge: Liu Jingsheng, have you anything further to add?

Liu: No.

Judge: The court dismisses Liu Jingsheng. Will the witness Yang Guang step into court and give evidence.

What is your name?

Yang: Yang Guang.³

Judge: What is your age?

Yang: Twenty-four.

Judge: What is your registration unit?

Yang: I am at Peking Industrial University.

Judge: Working or studying?

Yang: Studying.

Judge: In which year of studies are you?

Yang: I'm in my second year.

Judge: Today you appear in this court as a witness to give evidence in the case involving Wei Jingsheng on a charge of counter-revolution. The law stipulates that the witness must give true and honest testimony, and if he willfully perjures himself or conceals evidence concerning the crime or tells lies he will be answerable to the law. Have you understood?

Yang: I have.

Judge: Now please state your evidence before this court.

Yang: (I) Evidence concerning the magazine *Exploration*.
(A) Detailed account of *Exploration*.

Judge: Speak a little louder and a little slower.

Yang: During December 1978 at Xidan Democracy Wall I noticed the article "The Fifth Modernization" written by Wei Jingsheng. At the time I considered it very well written. Incisive in style and courageous in its daring to present in print questions I'd never even thought about. It dared to lash out at the present social system, and raised searching questions which I'd hoped to explore but had never known how to. So I got in contact with Wei

Jingsheng through the telephone number he'd written at the bottom of this wall newspaper in small type. When I met him he expressed the opinion that we should immediately set about organizing a stencilled publication. On this we were all in full agreement. On January 1, 1979, Lu Lin, Wei Jingsheng and I all met and everyone was in unanimous agreement to set up a joint publication venture in the form of a stencilled magazine. On the same occasion Wei Jingsheng produced a copy of his introductory announcement to show us. After we'd ironed out a few differences of opinion we found ourselves in basic agreement, and accordingly brought out our first issue of *Exploration* at XX's home on January 8, 1979.⁴ Roughly speaking the contents included Wei Jingsheng's "The Fifth Modernization," and a follow-up to "The Fifth Modernization," then my own little contribution "A Few Questions Addressed to Vice-Premier Deng." Of this first issue we ran off more than 200 copies which we put on sale around Xidan's Democracy Wall and Tian An Men Square. Each copy sold at 30 cents.

The second issue of *Exploration* was stencilled at Wei Jingsheng's place during the last ten days of January 1979. We ran off more than 200 copies. The contents were roughly as follows: Wei Jingsheng's "The Limits of Democracy," a continuation of "The Fifth Modernization," my own "In Search of China's Own Thought," and Lu Lin's "Children for Sale in the Streets of Peking." After we'd printed that, in the middle of March we mimeographed more than 800 copies of the third issue. As far as I remember, this third issue contained the following articles by Wei Jingsheng: "Twentieth-Century Bastille,"⁵ "Who Created the Trouble; Who Caused the Serious Consequences?,"⁶ and "The Meaning of the Fu Yuehua Case."⁷ XXX [Liang Yao] wrote "The 'Virtue' of Virtue Forest."⁸ We sold this issue at Xidan Democracy Wall and at the crossing of the Wang Fu Jing Street as well as at Tianjin's Democracy Wall. Each copy sold for 50 cents. After we'd sold this third issue Wei Jingsheng informed us that Vice-Chairman Deng Xiaoping had issued a statement censuring Democracy Wall for proclaiming the arrest of certain people. Wei Jingsheng proposed that we forthwith produce a special issue to refute the Vice Chairman's speech. We agreed, and thereupon Wei Jingsheng drew up the draft of "Democracy or a New Dictatorship."⁹ After he'd written it I read most of it and in the last ten days of March we ran off 1,500 copies of this special issue at Lu Lin's place. Then they were put out for sale at ten cents a copy around Xidan Democracy Wall and the crossing at Wang Fu Jing Street.

(II) I would now like to state that the main viewpoint *Exploration* propagated was one which attacked and vilified Marxism-Leninism and Mao Zedong Thought—calling them both the tricks and devices of charlatans and the despotism of dictators. It accused the socialist system of the dictatorship of the proletariat of being a tyranny bent on the suppression and slaughter of ordinary innocent people. Its attack on the leadership of the Communist Party of China likened that leadership to a fascist autocracy. It attacked the Central Committee of the Party headed by Comrade Hua Guofeng as a bunch of ambitious careerists. It accused the Central Committee of the Party's correct policy of stability and unity of being hypocritical. It attacked the realization of the four

4. "XX" appears in place of a name that has been deleted. (The group usually met at the home of Wei's friend, a Tibetan woman.)

5. Seymour, Document 55.

6. Seymour, Document 66.

7. Seymour, Document 65.

8. Seymour, Document 54. This essay and "Twentieth Century Bastille" concern prisons where political prisoners are held.

9. Seymour, Document 51.

3. Yang Guang was assistant editor of *Exploration*. He often wrote under the pen name "Mu Yi." He was arrested on May 22, 1979.

modernizations for feeding the people with empty promises and said that the Central Committee had made the democratic movement the scapegoat for the failure of the Government's economic policies. It openly called upon the masses to be wary of the Central Committee; it called on them to change the social system and not to be taken in by trickery but to resist the emergence of a new fascist dictatorship.

The odious aftermath of the publication of the magazine *Exploration* is as follows: (1) By spreading doubt among the people, by making them dissatisfied with the socialist system, it has virtually incited the transformation and overthrow of that same current social system. Wei Jingsheng expressed the desire to expand the organization's membership and thereby form a new political force in order to transform the existing system. I expressed my unequivocal approval and support for this proposal. (2) By vilifying and slandering the Party's Central Committee and the People's Government it has created ideological confusion amongst those people striving to realize the four modernizations, and damaged political stability and unity. Our group was made up of young people who had grown up in the New China and was not made up of Kuomintang members or other such elements imbued with a congenital mania for overthrowing the Communist Party, the socialist system and the dictatorship of the proletariat. For this last reason our reactionary propaganda, which virtually called on the people to overthrow the socialist system, had even greater inflammatory influence, and thus it was that our function was in this respect more effective than it would have been had we been a mere anti-communist reactionary clique.

(B) Specific details concerning the course of contacts with foreigners.

(1) On January 5, 1979, Wei Jingsheng and I went to Wade's place to borrow a Chinese typewriter and some books on the social sciences. Present at that time were also D and XX. Later Wade and D did indeed loan us some books on political theory which had been published abroad, as well as some newspapers and periodicals. But they did not loan us a Chinese typewriter. (2) During discussions with me in January 1979, Wei Jingsheng

"Properly speaking, revolution is the struggle of new phenomena against old phenomena. To subsume 'permanent revolution' to the will and ambition of those in power is to vulgarize the concept of revolution, and is tantamount to stifling all diversity of thought."

entrusted me to contact Wade and give him a copy of his article "The Limits of Democracy," as well as a record of what had been said at the meeting of the Peking Municipal leaders concerning Democracy Wall. This I carried out as arranged. (3) In February Wei Jingsheng and I went to D's place where Wei Jingsheng told me to inform him of the news concerning the Panchan Lama's forthcoming marriage. (4) In February I borrowed from D a report by Amnesty International concerning the treatment of prisoners in the People's Republic of China. Later we printed the contents of this report in Nos. 2 and 3 of *Exploration*. (5) In February Wei Jingsheng brought along two Japanese tape recorders which he said had been loaned him on a long-term basis by XX. (6) Wei Jingsheng turned up with about 100 yuan which he said

he had collected in subscription fees for *Exploration* from several foreign journalists, each of whom had paid him 20 yuan for a year's subscription. (7) In March he borrowed a book from XX on loan from the library of the American Embassy and wanted a few tickets for the Washington Philharmonic Orchestra's concert, plus 20 yuan as a subscription for the magazine. (8) Wei Jingsheng once gave me copies of the first, second, third and special issue of our magazine to deliver to the foreign journalists and Embassy personnel we had contacted. (9) In the middle of May I gave Wei Jingsheng's autobiography and two articles of mine to Wade, and asked him to publish them. In March 1979 I had shown Wade and D the announcement of Wei Jingsheng's arrest as well as a declaration concerning it appearing in the name of our journal *Exploration*. (10) Wei Jingsheng once telephoned me to ask that I help him arrange. . . . [passage omitted] but XX said because he was busy he could not meet us. This event took place some time in February. (11) Wei Jingsheng once told me that he and XX were coming to take a film of the printing of *Exploration*, but later because Wei Jingsheng said that XX had not offered enough money he wasn't allowing the film to be shot. (12) In February, Wei Jingsheng asked me to borrow a camera and flashlight from Wade, but Wade did not loan them.

(C) On the nature of these matters.

We handed over to foreigners the reactionary articles we had written to have them circulated throughout the world. This brought discredit to our country, and undermined sympathy and support for our nation. Furthermore, we used our magazine as a vehicle of exchange with foreigners in order to obtain material support. In essence this amounted to the interference in internal affairs through the agency of the power of foreigners—that is to say a betrayal of the fatherland's interests.

Judge: Is that all you have to say? Yang Guang, just now you mentioned that Wei Jingsheng wanted to extend the organization. Could you repeat that once more.

Yang: I don't remember the actual words but his opinion was that we should spare no effort in expanding the membership of those willing to take part in our periodical. Then everybody would be organizing periodicals. Roughly speaking that was what he meant. At that time I too considered that we should extend our influence; I also thought the more people the better.

Judge: By that don't you mean deriving political power?

Yang: That was the idea expressed by Wei Jingsheng.

Judge: Tell us again how he put it.

Yang: He meant that if we went on expanding we could form a new political power.

Judge: What sort of papers concerning the Municipal Revolutionary Committee did you hand to the foreigners? Tell the court once more.

Yang: I don't know what the documents were called. They contained statements made by the leadership concerning Democracy Wall.

Judge: You did deliver them then?

Yang: Yes.

Judge: Tell us again about Wei Jingsheng asking you to hand his autobiography over to the foreigner.

Yang: His autobiography was kept at my place all the time. Later, on May 18, I saw Wade and handed it over to him and asked him to publish it abroad.

Judge: Did Wei Jingsheng tell you to give it to the foreigner?

Yang: He'd already said that when he gave it to me.

Judge: Has the Public Prosecution any questions to ask this witness? Has Wei Jingsheng any questions to ask.

Wei: Basically, his evidence is true. However, in his last statement he spoke of the autobiography being handed over to foreigners for publication. I recall that Yang Guang was not present when I talked with D, and D asked me to entrust it to someone to give him once I'd written it. But I said that if anyone wanted to publish it, I still wanted them to ask my consent first. Perhaps you don't recall that.

Judge: Yang Guang, have you anything further to say by way of evidence?

Yang: Indeed I did forget what Wei Jingsheng just said. He said that if D and Wade wanted to publish his autobiography it was imperative they first ask him for his consent.

Judge: You mean that though Wei Jingsheng's motive was publication, for that publication he simply wanted his consent to be solicited.

Wei: No, when I spoke with D Yang Guang was not present. D was very keen to know about my experiences, and to know them in detail. He asked me to write about that. I said that I could write something that could be useful as reference material. But when I entrusted it to Yang Guang, I first made this proviso that if it were to be published my permission must first be asked.

Judge: Yang Guang is dismissed from the court.

The Prosecution's Case

Judge: We now call upon the Public Prosecutor to put the prosecution's case before the court.

Public Prosecutor: Presiding Judge and Members of the Collegiate Bench of Assessor Judges: Today, in this trial of the accused, Wei Jingsheng, I am called upon by this court to appear in the role of state prosecutor to conduct and support the prosecution's case. From what has been heard in the preceding investigation and examination of Wei Jingsheng in court today, it is clear that, in the case brought by our office against the accused, the charge of counterrevolutionary crimes has been proven beyond any shadow of reasonable doubt. Even if the accused pleads not guilty to actual crimes, faced with such extensive evidence he will be unable to deny the fact that he did indulge in counterrevolutionary activities.

First, the accused, Wei Jingsheng, betrayed his fatherland by supplying the nation's vital military intelligence to foreigners. It is common knowledge that our nation borders on Vietnam and that, whereas both China and Vietnam were in the past good neighbors, in recent years the authorities in Vietnam, motivated by internal dictates and the expediency of their foreign policy, have been willing to assume the role of puppets to the Soviet hegemony. In a vain attempt to set themselves up as hegemon of south-east Asia they deliberately set about undermining Sino-Vietnamese relations and continuously provoked conflict in our border areas, in which they fired with rifles and opened up with artillery, killing our inhabitants and destroying their villages. They broke the peace and stability within that region and created a whole series of bloody incidents which resulted in serious damage to the relations between our two countries. We repeatedly lodged solemn statements of protest, but the Vietnamese authorities chose to ignore our warnings and perversely continued on a course of escalation of such incidents and disturbances, thus violating our territorial

integrity and status as a sovereign nation as well as endangering the building of the Four Modernizations.

The Vietnamese clique's anti-Chinese activities aroused our people's righteous indignation, and driven beyond the limits of forbearance our nation launched its defensive counterattack on February 17 1979. Imbued with the common hatred for the enemy shared by all the people of the nation, the heroes of our People's Liberation Army Frontier Guards made war, and one after another the voices of public opinion in every corner of the globe were raised in condemnation of the evil acts of the Vietnamese. Yet at this very time, when our country was launching a defensive counterattack against Vietnam and was engaged in a bitter struggle to defend our national frontiers, Wei Jingsheng, on his own initiative, thought fit to meet secretly with foreign personnel resident in the capital and to supply the names of our military commanders in the field, together with such matters as the numbers of our soldiers sent to the war zone, the progress of the fighting and the number of casualties—all of which constituted vital military information. Meanwhile, at the front, the heroic soldiers of the PLA were fighting stoutly for the fatherland and paying a bitter price with their blood and lives in order to repel the Vietnamese invaders. Yet at this very critical juncture when our defensive struggle was being waged, the accused, Wei Jingsheng, chose to act as a lackey of Vietnam, and by playing the traitor in our midst he stabbed his country in the back. He took vital military information which by its secret nature had direct relevance to our country's interests and the outcome of the war, and this he supplied to foreigners.

Are not the damage done to our national interests and the serious nature of this one counterrevolutionary act abundantly clear to all present here today? Wei Jingsheng has supplied foreigners with military information. He has betrayed his fatherland. He is an utter national degenerate, a thorough-going criminal amongst the people, and if his treacherous actions do not constitute out and out counterrevolution I would like to know just what they can be considered. His crimes are crimes against our socialist fatherland. They are crimes against the people of the entire nation. By Article 16 of the Act for the Punishment of Counterrevolutionaries, and by Article 6 clause 1 of the same ordinances, all those who steal or spy out the nation's military secrets, or those who furnish others with such intelligence, are to be punished by death or sentenced to life imprisonment. In less serious cases where mitigating circumstances prevail, such offenders are to receive prison sentences of no less than five years.

Now let us turn to Wei Jingsheng's writing of reactionary articles and his propagation of counterrevolutionary sedition to overthrow the Dictatorship of the Proletariat and our socialist system. Marxism-Leninism and Mao Zedong Thought constitute the guiding ideology by which our country carries out revolution and construction. Marxism-Leninism is the scientific theory of revolution. Mao Zedong Thought is the application and development of Marxism-Leninism in China itself. It is the product of the integration of the universal truth of Marxism-Leninism with the concrete practice of revolution. The Chinese people have, by practicing revolution over several decades, learned from profound experience that without Marxism-Leninism and without Mao Zedong Thought there would have been no New China. Likewise, they have learned that without the Chinese Communist Party there would have been no New China. They are firmly convinced that only by a continuation of Marxism-Leninism, Mao Zedong Thought and socialist revolution, together with the building up of the Four Modernizations, will the people be able to gain continuous victories. This cardinal principle of belief has been duly written into our nation's constitution, and thereby it constitutes a code of action to which every single citizen must adhere.

The accused, Wei Jingsheng, however, chose to ignore this unquestionable fact, and between December 1978 and March 1979 he wrote ten reactionary articles, "Democracy: The Fifth Modernization," two continuations of this article, "Human Rights, Equality and Democracy," "The Limits of Democracy," and others. These he stuck up on walls in the Xidan area and other places and printed in the reactionary publication known as *Exploration*. In these reactionary articles he spared no effort in his vilification of Marxism-Leninism and of Mao Zedong Thought which, he claimed, was an even more brilliant piece of quackery than any of the old itinerant pox-doctors' panaceas and poultices. He slandered our socialist system when he said it was an undemocratic, dictatorial social system, a system of feudal monarchism in the guise of socialism, and he called upon the people "to focus their fury on the evil system responsible for the masses' miserable lot." In his reckless arrogance he urged them "to wrest the power from those their lords and masters." He opposes our socialist system. And what system is it that he in turn wants to operate? Whose power is it that he wants to wrest? Is it not painfully obvious? By directing his remarks against our Party's policies of stability and unity and the Four Modernizations, the accused is inciting others to unite under the banner of democracy and not to trust any longer the stability and unity of dictators. For, according to him, these Fascist Centralists can only bring us to disaster. He told the masses to cherish no illusions about their rulers. He told them to tell all self-appointed leaders and "mentors" to clear off, and not to serve as tools for the modernization of ambitious aggrandizement by the dictatorship, etc. Such were his vain attempts to shake the determination of the people of our entire nation to realize the Four Modernizations. Such was his empty scheming to destroy the Whole Party and the entire nation by shifting the point of emphasis away from the building up of the Four Modernizations.

More than 2,900 copies of the reactionary publication *Exploration*, edited by Wei Jingsheng and carrying the abovementioned articles of his with their ultra-reactionary content, were taken by the accused to Xidan, Wang Fu Jing Street, and other areas, where they were displayed on walls and distributed amongst the people in order to whip up counterrevolutionary opinion and incite the masses. Using a stolen car to transport his reactionary publication, the accused sped off to Tientsin, where he stuck copies of the magazine on walls and distributed it amongst the people, all of which had a further mischievous influence. The counterrevolutionary propaganda and sedition spread by Wei Jingsheng damaged stability and unity, and created disturbances which impeded the smooth functioning of public order conducive to work and production. It is therefore quite obvious that the counterrevolutionary spearhead of the accused's intentions is aimed at our socialist system. All of this was done to whip up public opinion to support the total transformation of our social system. It is equally clear that the evil objective of his writing these revolutionary articles was simply to carry out counterrevolutionary propaganda and sedition in the vain hope of overthrowing both the dictatorship of the proletariat and our socialist system, thereby once again plunging the people of our entire nation into the bottomless pit of misery and despair. Surely we cannot condone such evil and let him escape the punishment that is his due.

The crimes I have cited above directly violate Article 56 of our constitution, which states that citizens must support the leadership of the Chinese Communist Party, uphold socialism, safeguard the unity of the fatherland as well as the unity of all nationalities, and abide by both the constitution and the law. Under Article 57, dealing with the stipulations concerning the observance of public order, his criminal action has violated the most cardinal principles of the constitution and is in breach of our nation's penal code. Under Article 2 of the Act for the Punishment of Counterrevolutionary

tion, all counterrevolutionary criminals harboring intentions to overthrow the people's democratic political power and violate the people's democratic cause will be punished in accordance with the said laws. Article 10, paragraph 3 of the Act stipulates that those who carry out counterrevolutionary propaganda and agitation and those who make and spread rumors will be sentenced to not less than three years' imprisonment. In cases where the circumstances are more serious, they will be sentenced to death or life imprisonment. It is in accordance with these provisions that Wei Jingsheng should be punished.

Wei Jingsheng has done everything possible to excuse himself of the above-mentioned counterrevolutionary crimes. In defending himself, he has tried to explain away those reactionary articles he penned as simply an exercise of his democratic rights as a citizen to freedom of speech—rights granted by our constitution to every citizen. Likewise, he has tried to explain away the furnishing of military information to foreigners as an exercise in friendly contact and association. By concocting such specious excuses for his counterrevolutionary crimes, he was committing the most flagrant self-deception in his attempt to deceive others. Our constitution clearly and explicitly stipulates our wide-ranging democratic rights, but our democracy must always remain a democracy guaranteed by the stipulations of the law, and not one which defies all laws be they human or divine—one in which any individual is utterly free to do just whatever he pleases.

Rule by law is the guarantee of democracy. Rule by socialist law is the embodiment of the will of the proletariat and the numerous laboring people. For this reason each citizen's freedom of speech must adhere to the socialist road, insist on the dictatorship of the proletariat, uphold the leadership of the Party and stick rigidly to Marxism-Leninism and Mao Zedong Thought—and these very freedoms alone constitute the Four Basic Principles. There exists no freedom to violate them but only the freedom to uphold them. In our nation one man's rights and freedom . . . [several words not recorded]. Otherwise there would be no way of ensuring the public order—order in life, work, and production—necessary to build up a strong nation on the basis of the great Four Modernizations project. The democracy of socialism, then, remains within the confines of the constitution—it remains a democracy guaranteed by the law itself. . . .

In 1979 the accused, Wei Jingsheng, took advantage of the opportunities his job afforded him to sell off two cubic meters of timber that he had acquired without asking anyone's permission. Is this your own personal interpretation of the right to freedom and democracy? In 1975, during the period that Vice-Chairman Deng was presiding over the problems of labor and, in every sphere of work throughout the land, the movement to overhaul and reorganize at full capacity was being operated, between February and September, Wei Jingsheng only turned up to work on a paltry fifteen days. He was absent from work on a total of 79 days. Is this another example of the right to democratic freedom proposed and advocated by Wei Jingsheng?

On February 6 1975 the clinic of the Ministry of Commerce and Industry issued him with a certificate of sick leave valid for one day's absence. This he secretly altered from one day to one week. On June 9 the same clinic issued him a certificate of sick leave for two days' absence, which he duly changed to two weeks. Is this what you mean by seeking the rights of freedom and democracy? In 1979, when the entire Party's and nation's attention was directed towards the acceleration of the Four Modernizations, Wei Jingsheng took four days off his work quota for January, and seven days off his monthly quota for February, while from March 1 to March 29, when he was arrested, he did not show up for one single day's work. Is this another example of the rights of freedom and democracy you have been preaching?

From the above factual evidence it is not difficult to deduce that the freedoms Wei Jingsheng wants are the freedom not to work, the freedom from discipline, the freedom to engage in profiteering and speculation, the freedom to sabotage socialism and overthrow the dictatorship of the proletariat. Quite obviously the aim of his counterrevolutionary articles was not to grant the right of democratic freedom to his fellow citizens, but rather, as he says in his own words, "to wrest power from the hands of their lords and masters." This is as good as telling us that, whereas Wei Jingsheng professes himself a democrat, what he really wants is to achieve the overthrow of the dictatorship of the proletariat together with the transformation of our socialist system. This is his evil motive. If we allow freedom for such a tiny minority as his to spread unchecked as it pleases, the larger number of the population run the risk of losing their own freedoms. In such a situation, the people will meet with disaster and the nation will surely perish. For these very reasons, not only do we refuse to recognize those freedoms which the accused desires, we will even suppress them with the utmost rigor.

Nor is it difficult to see the reasons behind the accused's conduct when, with the aim of counterrevolution in mind, he furnished foreigners with our nation's military information, thus endangering the security of the People's Republic of China and showing himself willing to serve as a lackey of Vietnam—a betrayer of his fatherland, a Quisling. His motives were plainly to overthrow the political power of the dictatorship of the proletariat and to transform our nation's socialist system. Such counterrevolutionary elements must be subjected to the rigorous use of penal sanctions. After the arrest of the accused he stubbornly persisted in affirming his reactionary attitude and viewpoint. In accordance with the factual evidence of the crimes committed by the accused, Wei Jingsheng, he should be dealt with by the provisions of the following articles of the Act of the People's Republic of China for Punishment of Counterrevolution: Article 2; Article 6, Paragraph 1; Article 10 and Article 16. Furthermore, in the light of the fact that the accused Wei Jingsheng has persistently refused to plead guilty, we ask the court to deal with him severely.

The foregoing represents the principle reasons and legal basis for the submission to this court of the case against Wei Jingsheng brought by the People's Procuratorate of Peking's municipality. We request the court give extensive consideration to all matters concerning this case and give proper and accurate judgment accordingly.

Wei Jingsheng's Defense Speech

Judge: The court now calls upon Wei Jingsheng to deliver his defense address.

Wei: I see as unfounded and unsubstantiated the charges in the indictment brought by the People's Procuratorate of Peking's Municipality. My editing of publications and my writing of posters were both in accordance with Article 45 of the constitution: "Citizens enjoy freedom of speech, correspondence, the press, assembly, association, procession, demonstration and the freedom to strike, and have the right to 'speak out freely air their views fully, hold great debates and write big-character posters.'" Our reasons for producing our publication were simply to attempt a tentative exploration of the path along which China could advance this objective. Our activities, motivated by the principles I have just mentioned, are described as counterrevolutionary by the Public Security Department and the Procuratorate. We cannot accept such a description. I shall now go on to express substantiated views on each of the charges listed in the indictment.

The first charge. The indictment states that I provided foreigners

with national military information and committed the crime of counterrevolution. If my memory serves me correctly, the new penal code and the old Act of the People's Republic of China for the Punishment of Counterrevolution . . .

Judge: Speak slower, Wei Jingsheng.

Wei: As I was saying, the wording of the new penal code and of the old Act for the Punishment of Counterrevolution reads alike: providing military information to *the enemy* constitutes the crime of treason. Yet, in the eyes of the Public Prosecutor, my discussions with English and French foreign correspondents are seen as treasonable conduct. Is this not as good as describing the English and French journalists as the enemy? I would like to draw the attention of the prosecution to the fact that when Hua Gofeng received the journalists of four Western European nations, he quite clearly addressed each correspondent from each nation as "my friend."

The constitution stipulates that it is the duty of all citizens to keep *national secrets*. Yet here, where the wording of the constitution is quite explicit on this aspect of the citizen's duties, the indictment uses the vague and hazy term *military intelligence*. It is common knowledge that a lot of what passes for military intelligence or information is obtainable by an analysis of what is stated in the public media of any nation's newspapers, radio and television news reports, etc. It is clear then that the term military information or intelligence is an over-generalized concept. Since it is the duty of all citizens to keep national secrets, this presupposes that the citizens know in the first place what the secrets are that they are supposed to keep. That is to say, this secret must be recognizable from the outset as a piece of classified information. It must be clearly indicated or marked down as a national or military secret. Only then do the citizens have the duty to maintain its secrecy. Never once in the period that followed the outbreak of the Sino-Vietnamese War did I come into contact with anything whatsoever marked as a classified secret. Thus, there is no question of my furnishing anyone with anything that can be described as secret by the terms of the legal definition. When I chatted with reporters and foreign diplomats from friendly nations it was difficult for me not to mention every aspect of the internal situation in our country.

Judge: Speak slower.

Wei: I saw such discussions with these reporters and diplomats as a means of promoting friendship and understanding between us and the peoples of their countries—a way of promoting the basis of mutual support among the working people. Once the Sino-Vietnamese War broke out, it became a major issue of common concern to both the people of our own nation and those in foreign countries. Thus, inevitably, I couldn't help discussing this aspect of the national situation in my talks with foreign journalists and diplomats during this period.

Judge: Talk slower, Wei Jingsheng.

Wei: Whether or not the news I mentioned in my conversations with foreigners was news which the government preferred not to divulge I had no means of knowing. Since I am just an ordinary citizen, my sources of information remain the grapevine and rumor, not official documents from a government source. Whether or not my information might have happened to coincide quite fortuitously with points of information marked as classified secrets in government documents I likewise have no means of telling, because I have never set eyes on any classified documents. But the news I discussed could not have had any harmful effect on the front-line situation. That was something to which I gave some thought before I said anything. In the instance

of my mention of the name of the Commander-in-Chief at the front, whoever has heard of a victory being won because the Commander-in-Chief's name was not revealed? Conversely, whoever has heard of defeat being suffered simply because the enemy knew the name of one's own Commander-in-Chief? No cases of either kind exist, so in what way can my mention of his name have had an adverse effect on the front-line situation? Throughout the whole gamut of ancient and modern history, I have never heard of knowledge of the Commander-in-Chief's name proving to be a vital factor in the final outcome of hostilities. Such a theory just doesn't hold water.

Naturally, the public prosecutor may state that, according to established custom and practice in our nation, anything that comes into the authorities' heads may be considered a national secret. At the time when the "Gang of Four" was in power, when the isolationist policy held sway and the nation was sealed off from the outside world behind closed doors, anything that appealed to the authorities became a national secret, and just to say a few words to a foreigner could, if the powers wished, be construed as having illicit relations with a foreign country. Perhaps the public prosecutor wants all citizens to abide by the established practices of the "Gang of Four" era? Or does he just want them to adhere to the law? In this respect the Department of Public Security has already spoken, when it said I must abide by the rules and regulations governing the maintenance of official secrets. I do not know what these rules and regulations are. I do know that in themselves they refer to keeping things secret; but, because they are not publicly promulgated for ordinary citizens to abide by, they can only be something laid down by some internal bureau. The ordinary citizen, therefore, may be obliged to abide by the constitution and the law, but he is under no obligation to abide by rules and regulations about which he knows nothing, since they were made by some internal bureau.

To sum up. Firstly, I had no intention of betraying the fatherland. Secondly, I supplied the enemy with nothing at all. Thirdly, I gave my friends no official secrets—either national or military. Thus the prosecution's accusation that I committed treason is quite unfounded. If the prosecution considers the content of my discussions with foreigners as things the government would rather I had not mentioned, and that I made a mistake by so doing, I am perfectly willing to accept that. Moreover, I am perfectly willing to accept that, in response to the government's reasonable demands hereafter, it is the duty of every citizen to maintain secrecy about matters the government feels should be kept secret. But, in turn, I trust the government will be able to be more explicit in its stipulation of the actual scope of those secrets it expects its citizens to maintain, and not leave them in a state of perplexed bewilderment; nor will it directly prevent Chinese nationals from having friendly relations with the nationals of other countries, since all this will only further confuse the administration of justice and have adverse effects upon the nation and its people.

The second charge. The indictment states that I carried out counterrevolutionary propaganda and agitation, and describes my essays, "Democracy: The Fifth Modernization," etc., as reactionary articles. Likewise our publication *Exploration* is referred to as reactionary. In view of this, we must first make it clear what is meant by such terms as "reactionary," "counterrevolutionary" and "revolutionary."

As a result of the influence of all those years of cultural autocracy, and the obscurantist policy of keeping the people in a state of blind ignorance in the "Gang of Four" era, there are even now people whose outlook is that if one does things exactly in accordance with the will of the leadership currently in power, this is

what is meant by being "revolutionary" whereas to run counter to the will of those currently in power is counterrevolutionary. I cannot agree with such a vulgar debasement of the concept of revolution. The term "revolutionary" entails following a course of action whereby one moves with the current of historical development, and strives to remove all that is old and conservative blocking and impeding the onward flow of history. Revolution is the struggle of new phenomena against old phenomena. To attach the label of perpetual revolution to the will and ambition of those currently in power is tantamount to stifling all diversity of thought; "Power is Truth." Such a vulgarization of the concept of revolution served as one of the most effective tools with which the "Gang of Four" suppressed anything remotely revolutionary and crushed the people into the ground for more than twenty years.

Now allow me to turn to the term "counterrevolutionary," and its valid and proper frame of reference. Strictly speaking, the term implies a historical approach to the examination of the political concept to be applied to a given problem. In the realm of politics there is no immutable concept, and at different historical periods, because the revolutionary trends or currents are different, each conception of the word counterrevolutionary differs, as indeed do the phenomena to which the term is applied. If one particular conception of the term (valid for one particular period) is made the norm, the result can only be the arbitrary attaching of labels to the wrong people. Even in times of revolution itself, because of the limits of the levels of understanding among the populace, there arise a number of conflicting interpretations of this one word counterrevolutionary. To use this term as an immutable political concept for assessing the guilt of those charged with crimes is like using the willow catkins floating in the breeze as a device for assessing altitude. This is the reason behind the great number of injustices, wrongs, and misjudged cases which have arisen in this country over the past 30 years. It is also one of the reasons why the "Gang of Four" were able to gain power in the very teeth of popular resentment. The inevitable result of making the current political concept the legal norm or standard is an open invitation to be taken in and deceived by such terms as counterrevolutionary.

Next we come to the connection between my articles and the present revolutionary trend. The present historical trend or current is a democratic one. At this stage in the development of Chinese society, her population is confronted with the following problem: Unless there is a reform of the social system, accompanied by the eradication of the social origins of the dictatorial fascist autocracy, together with a thorough implementation of democracy and a guarantee of the people's democratic rights, then Chinese society will be unable to advance and the socialist modernization of the country be incapable of achievement. Thus, the democratic trend is this age's revolutionary current, while those autocratic conservatives who stand in opposition to the democratic trend are the real counterrevolutionaries of the age.

The central argument of those articles of mine, such as "Democracy: The Fifth Modernization," is that without democracy there will be no Four Modernizations; without the *fifth* modernization, or democracy, any talk of modernization will remain an empty lie. How does such an argument constitute counterrevolution? Surely it is those very people who oppose democracy who should be included in the counterrevolutionary category? Naturally I do not claim that the grounds of my argument and its thesis are always perfectly correct. They too must await the ultimate test of historical practice. They too must undergo all manner of criticism from every quarter, for only then can they be made more accurate. But even if the grounds of my argument and the underlying thesis are not completely accurate, this in no way im-

pairs the revolutionary nature of my topic, which is clear in its argument.

The third charge. The indictment states I slandered Marxism-Leninism and Mao Zedong Thought by likening it to an even more brilliant piece of quackery than any of the old itinerant pox-doctors' panaceas and poultices. My understanding of the term slander is that it refers to a person being groundlessly charged with a crime he has not committed. The manufacture of poultices and panaceas is no crime. By quoting me out of context and giving a garbled version of what I said, the prosecutor can hardly be said to have made out a case for slander.

The Marxism I attacked in my essays is in no way the Marxism of more than a hundred or so years ago, but rather the form of Marxism favored by that school of political con men such as Lin Biao and the "Gang of Four." I recognize nothing in this world as constantly immutable, nor any theory as absolutely correct. All ideological theory is relative, for within its existing context it contains elements of relative truth and, conversely, elements of relative absurdity. At one given time and in one given situation it may be a relatively accurate theory, whereas at another given time and situation it can be relatively preposterous. In the face of certain data it may be a correct theory, while in the face of different data it may appear absurd. Certain theories in themselves share at one and the same time the possibility of being correct and the possibility of being absurd. Marxism is in no way an exception. Marxism, over a hundred years of development, has been successively transformed into a number of divergent schools—Kautskyism, Leninism, Trotskyism, Stalinism, Mao Zedong Thought, Eurocommunism, etc. While these different theories all abide by the basic tenets of Marxism, or do so in part, they have also carried out partial modifications and revisions of Marxism as a system. Thus, though they are called Marxist, none of them is the original Marxist system. To a considerable extent the theoretical core of original Marxism is in part centered around a description of a proper society, an idealistic state which is by no means unique in its conception to Marxism alone. For such a society was a widespread aspiration, shared by the working classes and intellectuals alike in their hope for liberty and equality, public ownership of property, and social justice. The method Marxism advocated for the achievement of this ideal society was the fusing of common democracy with a dictatorship in which power had been centralized. It is this fusion which is the most striking characteristic of the Marxist tenets.

Following a hundred years of actual practice, those governments which have emerged from this method of dictatorship, where power has been concentrated—such as those of the Soviet Union, Vietnam, and China before smashing of the "Gang of Four"—have without exception deteriorated into fascist regimes, where a small leading faction imposes its autocracy over the large mass of ordinary laboring people. Moreover, the fascist dictators, in whose grasp the government has come to rest, have long since ceased to use the dictatorship of the proletariat as a tool of implementing the old ideals of Communism itself. Precisely the opposite is the case. For without exception these rulers have used the ideals of Communism to reinforce the so-called dictatorship of the proletariat so that it may function as a tool for the benefit of those in power.

Thus, Marxism's fate is common to that of several religions. After the second or third generation of transmission, its revolutionary substance is quietly removed, while its doctrinal ideals are partially taken over by the rulers, to be used as an excuse to enslave the people and as a tool to deceive and fool them. By this stage, the nature of its teachings has also undergone a basic change, in that the ideals become, respectively, the excuse and tool of enslavement and deception. Thus, the nature of the teachings has

been fundamentally changed. I call the practice of using ideals to mislead and enslave people "idealism." (Others think of it as a matter of faith.) The feudal fascist dictatorship of the "Gang of Four" represented the culmination of such a development. When these forms of fascism make use of fine and glorious ideals to set up a blind faith in some modern superstition, so that the people may be the easier cheated and deceived, is this not a modern form of charlatanism? Is it not an even more brilliant panacea or poultice than those of the old nostrum-mongering pox-doctors?

Here I should point out that it was by basing my studies on the course of the historical development of Marxism that I reached these conclusions, and that any possible inaccuracies can be resolved by further theoretical inquiry. Though I welcome anyone's criticism of these conclusions of mine, regardless of their accuracy, according to the principle of the freedoms of discussion and publication, it does not constitute a crime to promote tentative theoretical inquiry and exchange such ideological conclusions with others. We should always adopt a critical approach to past ideological theory that still survives in actuality in the present age, and since this is the Marxist approach to pursuing studies, why can't we treat Marxism critically as well? Those who forbid the critical treatment of Marxism are engaged in the very process of transforming Marxism into a religious faith. Any man has the right to believe and adhere to the theories he holds to be correct, but he should not use legally binding stipulations to impose on others the theories he has faith in, otherwise he is interfering with the liberties of his fellow men.

The fourth charge. The indictment claims that, by flaunting the banner of so-called free speech for democracy and human rights, I incited the overthrow of the socialist system and the political power of the dictatorship of the proletariat. First of all, allow me to point out there is nothing whatsoever "so-called" about free speech. On the contrary, it is stipulated by the constitution as a right to be enjoyed by all citizens. The Public Prosecutor's choice of such a term in discussing rights granted citizens by the constitution not only shows his prejudice when thinking on such matters, but further illustrates that he has forgotten his responsibility to protect the rights of his fellow citizens. He makes the rights of the citizens in this country of ours the object of ridicule.

I feel there is no need for me to refute item by item the public prosecutor's method of quoting me out of context when he is listing the charges against me. I would merely like to point out his carelessness and his negligence. In the indictment there appear the following words: "a system of feudal monarchy in the guise of socialism." Was not the "Gang of Four's" fascist dictatorship simply feudal monarchy in the guise of socialism? Again there appears this expression of mine, "nor serve as tools for the modernization of the ambitious aggrandizement by the dictatorship," which was followed in my original by, "we want the modernization of the people's lives." Don't tell me the prosecutor wants the modernization of ambitious aggrandizement by the dictatorship but does not want a real modernization of the people's lives? I don't think the prosecutor can be like that. I am also unwilling to believe that the prosecutor will forbid criticism of the "Gang of Four's" feudal fascism. Yet why then did I quote in evidence those illustrations? I do not desire to make improper comments. I merely know that those remarks of the prosecutor are in no way able to illustrate that I wanted to overthrow the government and the socialist system, nor are they able to illustrate that I was harming the democratic cause.

In the cause of the publication of our magazine *Exploration*, we never once joined up with any conspiratorial organization, nor did we ever take part in the activities of any violent organization. *Exploration* was on sale to the public as a publication designed to

explore and probe theoretical problems; never did it make the overthrow of political power its aim, nor could it ever have been engaged in activities aimed at overthrow of the government. It saw itself as a part of the democratic cause, nor could it ever have harmed that cause. When people ask us if we were ever prepared to participate in armed struggle, or carry out actions aimed at the overthrow of the government, I have already supplied them a precise answer to such a question. I recognize legitimate propaganda and the democratic movement as the indispensable means to foster democratic government. Only when it has been understood by the majority will democratic government gradually come into being, through the reform of the old political system. This viewpoint was one of the basic aims of our publication. Yang Guang, Lu Lin, Zhao Nan, and Liu Qing can all bear witness to this fact. They have all heard what I have to say on this subject.

The public prosecutor's accusation that I wanted to overthrow the socialist system is even more at odds with the facts. The prosecutor claims to have examined my essays, so he should have noticed that section within the article, "Democracy: The Fifth Modernization," called "Socialism and Democracy," which deals with my attitude toward socialism. On the many occasions that the prosecutor had talks with me, I also mentioned this same question, so he cannot say he does not know. Of course in the eyes of the prosecutor, his interpretation of a socialist system may possibly differ enormously from my conception of that system. I recognize that in reality the socialist system may take many different forms and not be one stereotype. In the light of their most obvious distinction, I would classify socialist systems into two large categories. The first is the Soviet-style of dictatorial socialism, with its chief characteristic of having its power concentrated in the hands of the minority in authority. The second category is democratic socialism, with the power reinvested in the whole people organized on a democratic footing. The majority of people in our nation all wish for the implementation of this kind of socialism. The aim of our exploratory inquiry was to seek the way to attain such a socialist system. My taking part in the democratic movement was with the aim of implementing this form of democratic socialism.

I consider that without carrying out a reform of the social system, without a true establishment of popular democratic power, and if there is no democratic system of government to act as a guarantee, then our nation's economic modernization cannot be attained. A democratic system of government is the prerequisite for our country's total modernization. This was the idea behind the title of my article "Democracy: The Fifth Modernization"; it was the central idea expounded in the same essay. Perhaps the members of the Office of the Procuratorate do not agree with my theory, but their disagreement with my theories does not brand me as someone wanting to overthrow the socialist system.

The fifth charge. There is no need for me to refute item by item in the list of charges in the indictment those places where the prosecution quotes me out of context. I would only point out two things. First, the constitution grants citizens the right to criticize their leaders, because these leaders are not gods. It is only through the people's criticism and supervision that those leaders will make fewer mistakes, and only in this way that the people will avoid the misfortune of having their lords and masters ride roughshod over them. Then, and only then, will the people be able to breathe freely. Secondly, if we wish to carry out the reform of our nation's socialist system we must base this on the entire population using the methods of criticism and discussion to find out the defects in the present system; otherwise reforms cannot be successfully carried out. It is the people's prerogative, when faced by unreasonable people and unacceptable matters, to make criticisms. Indeed, it is also their unshirkable duty so to do

and this is a sovereign right with which no individual or government organization has a right to interfere.

Criticism may not be beautiful or pleasant to hear, nor can it always be completely accurate. If one insists on criticism being pleasant to hear, and demands its absolute accuracy on pain of punishment, this is as good as forbidding criticism and banning reforms. In such a situation one might just as well deify the leadership outright. Surely we are not expected to retread that old path of blind faith in the leadership advocated by the "Gang of Four"? Naturally criticism should have substantial factual basis, nor should we tolerate personal attacks and malicious slandering. This taboo was one of the principles adhered to by our publication, as our introductory opening statement to our readers demonstrates. If the prosecution feels that in this respect I did not do enough, I am willing to accept the criticism put forward by the prosecution or anyone else.

That concludes my defense address.

Judge: Wei Jingsheng, you must be clear about the opportunities given you by the court. One is to make suggestions which we can note, and in the defense speech you may deal comprehensively with matters touching your defense.

My next point concerns your supplying foreigners with military intelligence and secrets where, in fact, did you acquire your sources of information? You must explain clearly and precisely. Tell us now, where did you get this information.

Wei: It was a case of overhearing things here and there; it was through gossip and rumor that I heard it. Sometimes when I went to a friend's place or ran into an acquaintance in the street. That was the sort of situation. Because at that time, when the war had just started, everybody was very concerned about what was happening; everyone was talking about the incident. I heard all of this from a whole number of people's conversations, and not just from certain particular people.

Judge: Tell us who they all were.

Wei: I can't remember that clearly. I just don't remember clearly, and since I can't, the best thing for me to do is to refrain from making wild guesses.

Judge: I call upon the Public Prosecutor.

Refutation by Prosecutor

Public Prosecutor: Presiding Judge and members of the Collegiate Bench of Assessor Judges, we have just heard the accused, Wei Jingsheng, express his opinions in his own defense, and now I shall express the opinions of the prosecution. To sum up the accused's defense, we can see that it can be reduced to two main points. Firstly, he pleads not guilty to selling intelligence material and committing counterrevolutionary propaganda and sedition. Nor does he admit to anything else which constitutes a criminal offense. He has expressed a variety of opinions centered around these two points and it is towards these fallacious and reactionary opinions that I shall direct my refutation.

On the first point, namely that he claims he did not sell national security information to foreigners: To start with, he says his aims were not counterrevolutionary and he denies betraying his fatherland. In addition, he says that the information he discussed was merely news overheard through hearsay and gossip, and did not really contain any classified secrets. In order to explain this, I had best first present the court with the full implication of what is meant by the term classified secret. Literally speaking, it means, in effect, that which by its central connection can play a vital role in the success or failure of a certain matter. And military intelligence is any statement concerning

any form of military situation. The legal position regarding the scope and content of what constitutes a secret is not undefined as the defendant suggested, nor is there any fact to back his claim that no laws or regulations concerning the nature and scope of secrets have ever been promulgated. Let me clarify this last statement.

On June 5, 1951 the Administrative Council of the Central People's Republic of China, in its orders for the promulgation and implementation of Provisional Regulations Regarding the Maintenance of National Security, Article 2, stipulates the main scope and content of what is meant by national secrets. Article 2 states that national secrets cover the following basic area: (1) national defense plans and military plans together with measures for military build-up; (2) all information concerning the establishment of armed units, the designation of military units, military strength, equipment, garrisons, troop movements or maneuvers, troop disposition and military construction, and such classified matters; (13) the classified information of internal affairs and personnel; (14) data and statistics; (16) all national matters over which a decision is pending or where a decision has been made but not yet promulgated or implemented; (17) all other national matters about which secrecy is obligatory. As far back as 18 years ago, in 1951, the promulgation and implementation of these regulations made it clear what was meant by a piece of classified information and what the scope of such secret matters included, yet the accused persists in denying these hard facts—which explains nothing to us but that his attitude is entirely wrong.

Furthermore, this all happened just as our nation was engaged in a defensive counterattack to resist the Vietnamese invaders, after the entire population of our country had been filled with righteous indignation at Vietnam increasing the scale of the incursions it had been making into our territory. As soon as we launched our counterattack against them, everyone throughout the length and breadth of the land was filled with exultation. But at this very moment in time, what was it the accused chose to do? What was his attitude towards the Vietnamese expansionists? Just as our indictment maintains, he took such vital information as the name of our commander-in-chief in the war, along with the numbers of troops sent to the battle areas, the progress of the fighting, and the number of casualties on both sides, and all this he furnished to foreigners.

All these matters are covered by those basic areas defined as national classified information which I have already read out to the court. It is all quite clearly stated that such matters are within the category of national security. When I said military intelligence I meant national secrets—just that. Nor was this based on the Procuratorate's definition, or my own imagination. This accusation is based, not on a figment of muddled thinking, but the stipulations of our nation's laws. Moreover, it is determined by the facts of the accused's own conduct. In his own defense, the accused has said that regulations regarding secrecy, such as those I have just mentioned, are directed at the class enemy and not at friends from countries with whom we enjoy good relations. On this point of the defense I would again like to express a different opinion, and so refute the accused's absurd way of thinking. In the case of secrecy in an active wartime situation, when you supply such military information to foreigners, if the results of your actions are to have an effect abroad and not within our nation itself, you will have committed a crime against China itself. You should therefore be answerable to laws laid down in China. That is no matter whether you supply such information directly or indirectly to others; the consequences abroad will be the same.

This brings me to your point that, since the person you spoke to was from a friendly country and not an enemy, you do not consider what you said to be a breach of security. We have laws

covering this situation. They are to be found stipulated in the Act for the Punishment of Counterrevolution, Article 16, which states that those who have as their aim counterrevolution and other crimes not as yet stipulated by these regulations will be subject to conviction under the sections dealing with similar offenses. Thus we refer here to the Act for the Punishment of Counterrevolution, Article 6, dealing with cases in which internal or foreign enemies steal or gather classified information with which to furnish others. These shall be considered action carried out for the benefit of the enemy, and in such cases the offenders must be punished by death or life imprisonment. In the event of less serious cases, where there are mitigating circumstances, the culprit will be sentenced to not less than five years' imprisonment. All this is in accordance with the letter of the law, and not something that has been invented. Nor is this charge levelled by the prosecution as a slander against you. Nor are the circumstances similar to those you mentioned under the "Gang of Four," when anything one said could be construed as a piece of classified information. The secrets we are dealing with here today all have substantial legal basis.

Then again, the accused emphasized this morning his opinion that, since newspapers and the broadcasting media published news and information, he wondered why they escaped prosecution. I don't think such a proposition is in any way tenable as a point of defense. Why? Because the National Security Regulations provide this stipulation, under clause 7: all government policy news, articles and treatises, data and catalogues, reference works and reports belonging to the category described as government affairs will be subject to the method of release and dissemination unanimously laid down by the Administrative Council of the Central People's Government. And in cases falling within the category of military information, these will be subject to the method of release and dissemination laid down by the Revolutionary Military Committee of the Central People's Government. Thus, in no case do the contents of newspapers and periodicals, catalogues and broadcasting media news, discussions, reference material, etc., ever infringe the laws concerning national security. Furthermore, each news agency center, newspaper office and dispatch center is subject to its own internal security inspection. But when you handed over your piece of intelligence, who exactly gave you their official approval? Thus, the evil crime committed by the defendant is covered by the regulations stipulated in Article 57 of our constitution, which says that all citizens must maintain national classified secrets. The accused not only violated the constitution, he broke the law as well. Therefore his actions constitute criminal behavior in every possible way. For this we have both factual evidence and legal basis. It is not something we have invented. I don't think I shall need to make that point any more.

Another matter relevant to this is the accused's claim that, since he saw no officially classified documents, what he was dealing with could not be deemed military intelligence. This standpoint is likewise untenable. Only today, when the presiding judge questioned him as to where he acquired this information he was not able to tell us what his sources had been. Or else he was simply refusing to reveal them. So, in his eyes, this information was simply acquired through the grapevine or by hearsay and rumor. But I consider it no matter whether you came by it through hearsay and rumor, or even if you actually had seen classified government documents. The stipulation of the laws of the land are the only means of judging whether something is a secret or an item of military intelligence, and personal assessment is of no concern. Your own assumption and assessment cannot replace the hard facts of the case.

Because there are a number of ways to come by classified information, one must first see whether the actual substance of

something constitutes intelligence matter, and whether it lies within the bounds of the relevant law or is infringing the law. Your assumption that you did not break the law because you saw no documents, or that your seeing or not seeing of a confidential document should determine its relevance as military intelligence, is simply untenable. In your case, your use of the grapevine and rumor were the only things different about your method of spying out information, and since the content of what you gleaned was of a classified nature your action constituted the sale of military intelligence. Your refusal to recognize this can only illustrate your bad attitude and nothing more.

In the eyes of our law, all citizens are on an equal footing and no one is granted special privileges and rights above those of his fellow citizens. Wei Jingsheng, in your position as a citizen of the People's Republic of China you did not adhere to the Chinese constitution, nor did you observe the stipulations of Chinese law. Are you now trying to put yourself in a special position beyond the law? And if you are trying to do so, why? In our capacity as an arm of the dictatorship of the proletariat, as the Procuratorate with its legal authority to exercise legitimate supervision, our unshirkable duty is to wage war against all counterrevolutionaries and sabotage by criminal elements. Thus your criminal conduct should be judged by the provisions of the law and punished accordingly.

My second point concerns the accused, Wei Jingsheng's denial of opposing Mao Zedong Thought and of committing counter-revolutionary propaganda and agitation. In this respect it is of no concern that you plead not guilty, since we do not attach much credence to statements made by the accused. Instead, we consider the actual evidence as all-important, as well as those matters which come to light through careful examination. We deal in facts and use the law as our standard of comparison.

The accused, Wei Jingsheng, penned reactionary articles in the reactionary publication *Exploration*, which he edited, and here in the reactionary articles produced today before the court it has been quite clearly seen whom it was he was attacking in these writings. The accused has repeatedly insisted that the target of his attack was the "Gang of Four." Are we to consider his target was really the "Gang of Four?" It is common knowledge that the "Gang of Four" was ousted as long ago as 1976. So from whom was power to be wrested? Was not the "Gang of Four" already smashed? So from whom did you want to wrest power? After the gang was smashed it was the Party Central Committee headed by Hua Guofeng who presided over and operated the highest offices of government. So was it from the "Gang of Four" that you wanted power, or from the present Party Central Committee headed by Hua Guofeng? Is this not glaringly obvious?

In his defense speech the accused bases his argument on the provisions of Article 45 of our constitution, which guarantees citizens the democratic right to enjoy freedom of speech, publication, and association. But at the same time you are expected to assume those responsibilities stipulated by the law, and further, our constitution lays down that while our nation's guiding ideology is Marxism-Leninism and Mao Zedong Thought, our national system is socialist—a people's democratic dictatorship based on the alliance of worker and peasant under the leadership of the Communist Party. This is decreed by law. So are you opposing this, and if you are, are you a revolutionary? Or are you a counterrevolutionary? Is this not also patently obvious? Your refusal to admit to being a counterrevolutionary is simply because our viewpoints differ on that score. It is no wonder that you consider counterrevolutionary conduct to be a quite natural state of affairs.

We can now turn to the accused, Wei Jingsheng's refusal to admit to our accusation in the indictment of his slander of Marxism-

Leninism and Mao Zedong Thought; when he said it was an even more brilliant piece of quackery than any of the old itinerant pox-doctors' panaceas and poultices. This he considered does not constitute a crime. Further, he claims that what has been unanimously laid down by law should not be imposed on others, for to do so, he considers, is an infringement of the liberties of others. Let us try and see if indeed he did slander Mao Zedong Thought, and in order to do so let us go back to basics and decide what we means by slander.

Slander implies concocting rumors to smear and malign others, or using exaggeration and overstatement to harm someone's reputation. We are not only forbidden to slander the nation's leaders, but are likewise prevented from committing slander against any citizen of the People's Republic of China. If one uses big-character or small-character posters or publicly insults others or makes up stories to slander them, then if the case is serious the culprit must be punished. All this is laid down by the law.

What then is implied by the term "panaceas and poultices of itinerant pox-doctors?" An itinerant pox-doctor or quack was someone who traveled around swindling others, whilst the poultices and panaceas refer to the means whereby such swindlers tricked other people. Starting from 1917, when Comrade Mao Zedong established the *Hsiang River Review*, right through till 1949, when Chairman Mao pressed the electric button to announce the establishment of the People's Republic of China, our nation witnessed the sacrifice of millions of revolutionary martyrs, who stained our flag red with their heroic fresh blood, so that this flag of ours might be waved high in the fatherland's sky. From that moment the nation embarked on a new heroic epoch. New China was born, and after its establishment there is no need for me to enumerate the successes of its mighty projects.

Is this all the work of a swindling pox-doctor? Here we are today—able to have our dictatorship of the proletariat, able to have our socialist system, and able as a people to enjoy vast and absolute powers as well as democracy and liberty—is this all a swindle? If there were no Mao Zedong Thought there would be no New China—no one can deny the wisdom behind these words. Of course our leaders are human and not gods. Comrade Mao Zedong's truths, which rescued China and her people, were garnered from actual practice, and for this there is factual proof in the history of China's mighty struggle. The second clause of the constitution stipulates that the guiding ideology of the People's Republic is Marxism-Leninism and Mao Zedong Thought. Therefore when the accused committed slander against Mao Zedong Thought he was violating the constitution and in consequence breaking the law, since the obligation to safeguard the constitution is written into our laws. Whoever violates the law must receive due punishment, since the constitution supplies the citizens with a code of behavior and does not tolerate any person going beyond the limits of that code. The constitution stipulates the bounds of our behavior and whoever violates the constitution will receive condign punishment. At another point in his defense speech the accused claimed he was merely promoting a tentative exploration into theory, and the search for a path along which China could advance towards prosperity and strength. He also recognizes that we should have freedom of belief.

I do not see why I should have to say any more about this point, but suffice it to say that our indictment has stated quite clearly that you are not being punished for your tentative explorations or theoretical probing, or for your failure to believe in Marxism. We are punishing you for your counterrevolutionary crimes. You know that well enough. Our constitution stipulates that you have freedom of belief, and that you may believe or disbelieve Marxism-Leninism and Mao Zedong Thought, but it also states that you are definitely forbidden to oppose it. Opposition

is a violation of the constitution, and violation of the constitution renders you liable to legal sanctions. Our viewpoint on such issues as this is quite explicit and the stand we take is quite clear cut.

Next, you go on to say that people should no longer trust the stability and unity of dictators, nor serve as tools for the modernization of ambitious aggrandizement by the dictatorship, but focus their fury on the evil system responsible for the masses' miserable lot. He said the situation he refers to here concerns malpractices within the system, since the system itself is still not perfect. But is this the situation he refers to? I believe he is here revealing his dishonest attitude. I refer you here to those two statements quoted in the court indictment. Such remarks as, "a system of feudal monarchism in the guise of socialism," and again, "focus their fury on the evil system responsible for the masses' miserable lot." It is the system on which he would concentrate his fire, and the system in question refers to the Chinese socialist system. From start to finish the object of the accused's tirade is our system. He is referring to the socialist system—our national system—and this, as I said previously, is the dictatorship of the proletariat based on the alliance of workers and peasants led by the working classes. So of course it follows that he is opposed to our dictatorship of the proletariat. The first clause of our constitution states that this is our nation's political system. If any counterrevolutionary has the audacity to oppose such a system we are determined to punish such a miscreant. In the first article of the Act for the Punishment of Counterrevolution, it says: "in accordance with Article 7 of the Common Program laid down by the Chinese People's Political Consultative Conference, these basic ordinances have been specially enacted for the punishment of counterrevolutionary criminals and the suppression of counterrevolutionary activities in order to strengthen the people's democratic dictatorship." The second article states that all counterrevolutionary criminals, whose aims are the overthrow of the people's democratic dictatorship and the destruction of the people's democratic cause, will be punished in accordance with these provisions. The accused wishes to change our national system and overthrow the political power. If this is not the action of a counterrevolutionary what is it?

We recognize that in the course of our work mistakes will occur. We admit that our system has its imperfections and that in places it might even have been influenced by feudal monarchism. All of this must be criticized, as indeed we are doing at the present time, so that we may eliminate such baleful influences. Does the accused wish to criticize these shortcomings and imperfections? The facts prove otherwise. We know that the feudal monarchical system is the form of political organization within a feudal country, and yet the accused describes our socialist system as a feudal monarchical one, which is nothing short of calumny and slander. Furthermore, he told the masses not to serve as tools for the modernization of ambitious aggrandizement by the dictatorship, but to wrest the reins of government from the hands of their lords and masters. By the terms "lords and masters" and "dictatorship" he is referring, as I previously stated, to the leadership presiding over our nation's political power. Obviously the nation's political power refers to the power of those who rule the country—the highest offices of state. Thus for the accused to deny that his aim is the overthrow of political power is inaccurate.

Elsewhere in his speech the accused laid great emphasis on democratic powers and rights. When it comes to power and freedom, democracy and the legal system, and liberty and discipline, it is all a matter of dialectical unity. In the rights and powers they enjoy and the responsibilities and duties they are obliged to discharge, the people are all equal in the eyes of the law and no one is allowed to lie beyond the reach of the law or have the right to override the law. From the above-mentioned facts it is possible to see that the accused attaches great importance to absolute lib-

erty and power,¹⁰ with no restraints upon the person; in other words, a situation where he can do just what he pleases, since he states that no one ideology should serve as the norm or standard for behavior and actions. So what he recognizes here is an undue emphasis on power and rights, but no responsibility to accept those duties and obligations stipulated by the law.

The citizens of the People's Republic of China all shoulder their national duties and obligations. What special right do you, Wei Jingsheng, have to be able to put yourself beyond the law? In fact, the only one carrying on like a dictator with all your special privileges is you, Wei Jingsheng. According to the law, the people enjoy complete rights and powers and at the same time are liable to carry out all duties and responsibilities, but in dealing with the class enemy it is necessary to deprive him of his rights for certain periods of time. In our nation the citizens' rights and duties have a shared existence which is indivisible. There exists no right not to discharge one's duties, nor any obligation, and the nation exists for the people. The people's and the nation's interests are identical. If you deprive the nation of its interests, you cannot even talk of individual interests.

Just think about it. If we were to give a counterrevolutionary like you, Wei Jingsheng, the power to topple the dictatorship of the proletariat or the power to overthrow our socialist system, or allow you the right to take days off work and not produce anything, our entire nation would simply collapse. Must we change? If you were to assume power, just what powers would be left the people to talk about? So that "freedom" of yours amounts to what we heard in the prosecution address this morning—the right not to turn up at work when it is work time. In fact it is laid down in the constitution that we must submit to discipline and abide by the constitution. Why don't you abide by the constitution, submit to discipline and adhere to the nation's laws? If we had your form of freedom would not the Four Modernizations just remain an idle promise? What modernizations would be possible if people did not turn up for their shift and produced nothing all day long? What powers would be left us 900 million Chinese people if you were to have the right to rob us of our powers and rule the nation? In a class society the law and the state are the same. The law itself represents the embodiment of the current ruling-class system. The law is drawn up and approved by the state and receives from the state the power of coercion to guarantee the enforcement of all criminal law.

(The court recessed.)

Verdict and Sentence

Judge: Wei Jingsheng betrayed his fatherland by supplying a foreigner with state military information. He violated the constitution by his writing of reactionary articles and, by his furtherance of counterrevolutionary propaganda and agitation, he endangered the basic national and popular interests. All of this constitutes a serious counterrevolutionary crime of a most heinous nature.

In order to safeguard the socialist system and consolidate the dictatorship of the proletariat, to guarantee the smooth progress of the build-up of our socialist modernization, and to suppress destructive counterrevolutionary activity in accordance with the stipulations of Article 2, Article 6 paragraph 1, Article 10 paragraphs 2 and 3 and Articles 16 and 17 of the Act of the People's Republic of China for the Punishment of Counterrevolution, we sentence Wei Jingsheng to fifteen years of imprisonment, with the deprivation of all political rights for a period of three years on completion of his prison sentence.

The prisoner may appeal to the Higher People's Court of Peking within ten days of the second day of receiving this sentence. ✕

10. In Chinese, the word for "power" and "rights" is the same.

The essays on these pages have been taken from unofficial publications which appeared during the liberal period of 1978-1979. This is the first time that the material has been made generally available in English. (See also page 21.)

Some Thoughts

Democratize the Party

The greatest problem facing the Chinese nation today is the transformation of our systems, namely economic, political and ideological systems. But the key point is that the Chinese Communist Party—the political party of our working class—must be the first to be transformed. The party was regarded by the Marxists as the servant of society but by the revisionist overlords as its master. We must resolutely discard such hackneyed teaching, exhorting the people to show their loyalty to the party and its leaders, a teaching that should now be substituted by such a slogan that the party and the leaders should show their loyalty to the people.

We will fail in our current transformation of economic, political, and ideological system, if we cannot fully put into practice the principle that puts the people's interests above all else.

We wholeheartedly support the correct line of the "practice" group inside the party. The so-called "practice" group is a revolutionary group which observes the basic principle that "gives first place to the masses—the main concern of their practical work." But we have to admit with great regret that such "practice" group was not a majority force inside our party as we have expected. We often encountered those gentlemen who also talked about "democracy," which to them means a relationship between people and their masters. In their conversations, they always regarded themselves as "masters" and all others as "people." Should we not fire these "people's servants" who behaved like that?

April Fifth Forum is one of a hundred contending schools of thought. It has rights to criticize others, as well as obligations to accept their criticism. Although it cannot avoid making mistakes and there is still room for improving its editorial writings on theoretical matters, we can confidently say: "The people need it and love it" because it always serves the people's interests by telling them truth and being honest to them.

{75442}

—Jian Min

High-Tech Crime

The Japanese film "Pursue and Capture," shown some time ago, and the recent American film "The World of the Future," are feature films depicting the struggle against conspiratorial gangs pursuing criminal activities with scientific equipment. The method of the gang in "Pursue and Capture" was to make the victims take a kind of tablet, causing them to lose the capacity to control their own actions, and then order them to do anything, such as working incessantly, cutting their hands with a knife, jumping off an upper floor, etc. The method of the gang in "The World of the Future" was to duplicate the appearance and mind of their victims in the form of robots, kill the victims, send the robots to the posts of the victims, and make them serve their masters. . .

Regardless of whether the events in the two films were true or not, hypothetically, if such events do occur one day, how serious will be the outcome! For instance, when a gang, for a certain purpose, needs to silence a witness, it can make the victim take the tablet and then order him to commit suicide by a certain means; it can also commit murder by tricking the victim into taking the tablet and then order him to commit suicide by a certain means. Or, it can make a robot duplicate of the victim, kill the victim, and order the robot to take his place and do whatever it is ordered to do.

Let us make another hypothesis: If scientific instruments which can telemeter and telecontrol others' activities are invented, and if such instruments fall into the hands of criminal gangs, it will bring inestimable harm and danger to human society, because the criminal gangs will be able to torment and harass others to death, or to make others perform criminal acts and other acts favorable to them.

Whether tablets which make the victims lose their self-control, robots which can be manipulated, scientific instruments which can telemeter and telecontrol others, or some other scientific instruments which have already been invented, doubtless, mankind has reached a crucial stage today. Today, mankind must be extremely vigilant against the emergence of gangs pursuing criminal activities by means of scientific instruments. The legislative, law enforcement, and judicial organs of our country must also give serious attention to this issue, because if such gangs truly emerge one day, it will bring grave danger and harm to mankind and our people.

Today, mankind must actively adopt measures to prevent the emergence of gangs threatening its security by scientific means. I suggest that the Supreme People's Procuratorate of our country investigate the departments and units concerned and prevent the occurrence of criminal activities by means of scientific instruments. Once such gangs are discovered, they must be firmly punished according to law, in order to safeguard the security of our country and the personal freedom and other civil rights of the citizens.

{73922}

Jade Casket

At the sight of a newly built house, people may recall something funny about housebuilding during their childhood. In the past, an auspicious day had to be chosen for ground-breaking. When Confucius was born, according to legend, two dragons circled the house, five fairies descended in the courtyard, and a unicorn presented its child. At the same time, the unicorn puffed out a book called *The Jade Casket Record*.

Jade Casket was intended to preserve feudal rule and to spread superstition by serving as a rule book for such daily matters as marriage, funerals, taking baths, getting haircuts, the interpretation of dreams and the chirping of magpies, and so forth, in a feudal society. By following these rules, people would enjoy happiness and avoid evils. This book has produced a widespread pernicious influence. Even now, some people looking for a wife have first to check her natural characteristics.

According to another legend a certain pedagog had such strong faith in *Jade Casket* that he would never do anything against its rules. One day, he was standing on a wall drying his laundry. The mud wall, old and in disrepair, collapsed, and he was half buried in the ruins. Instead of asking his son to dig away the earth, the first thing he did was to order him to check *Jade Casket*. The book said: "A bad day to break ground today," and so he forbade his son to move the earth. Finally, he realized that he would certainly die unless the earth was moved away from him. Then he consented to the digging.

Some of our comrades, particularly those obsessed with bookworship and dogmatism, do not know Marxism-Leninism. Instead of studying its doctrines, stands, methods, and viewpoints, they rigidly follow various taboos in practice and cocoon themselves like silkworms. Their thinking has been ossified and they have become laughingstocks. Mencius, an ancient educator, said: "If books are followed without question, it would then be better to be without books." These words, spoken more than 2,000 years ago, are indeed praiseworthy, because they clearly envisaged the trouble with bookworms today. They are highly instructive even now.

Regarding some great man's words as religious dogma, instead of thinking independently or relying on realities during specific times and under specific conditions, is a sign of ossified or semi-ossified thinking. If we review the history of natural science, we can see numerous instances of people breaking through the theses and formulas of their predecessors and thus advance the sciences step by step toward their goal. The same applies to social sciences. The doctrines of our great teacher Lenin on the success of building socialism in one country were, for instance, different from those of Marx. Comrade Lenin has set a brilliant example for us. We should boldly emancipate our minds and, with practice as the

SINO-SOVIET RELATIONS

Today, as the Chinese and the Soviet governments are opening their negotiations, we solemnly state to the whole world that like the peoples of all other countries in the world, the Chinese people also need peace. We believe that the Soviet people also cherish the same strong hopes. Therefore, we call on the two governments to do well in improving their mutual state relations, to coexist peacefully with each other and uphold the principle of noninterference in each other's internal affairs. These things are the expectations of all civilized countries. We hope that in the process of the negotiations, the two governments will show their good faith, avoid indulging in idle talk, do more solid work and do more things that will benefit the peoples of their own governments who must further think of the needs of their descendants and benefit their future generations.

We do not want to see the continuous bloodshed between the Chinese and Soviet people and the continuous bloodshed between the Chinese and Vietnamese peoples. We do not want see another war between China and Vietnam. We regard the promotion of peace among all countries as a glorious task. Relaxing international tension is currently the main trend in the world. The Chinese people should strive together with the peoples of all countries in the world to make contributions to the cause of peace which conforms to the common interest of mankind.

—Statement by *Exploration* Editorial Board,

{74532}

16 September 1979

criterion of truth, sum up our historical experiences, both positive and negative, in our work, and then discover the laws of development. We must note our past errors, emancipate ourselves from mental fetters, stop worrying about our personal gains or losses, and eliminate any lingering fears. We must also conscientiously study the documents of the Third Plenary Session of the 11th Party Central Committee and overcome the interference of various erroneous tendencies. First, everyone should set a personal example for others and take an active part in discussing practice as the sole criterion for testing truth in order to achieve unity of purpose. Only in this way can we strengthen party spirit, overcome factionalism, and effectively carry out various principles and policies. Only in this way can we use talents and materials to the best advantage, so that the results will benefit all concerned. The opening of one link will loosen the whole chain, and once the mind becomes clear, great stamina will be produced, followed by the vigorous advancement of our cause. {74909}

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A Glimpse of Life in China's Prisons:

Dissident's Memoirs

In this and the previous issue of SPEAHRhead we have published a translation of the transcript of Wei Jingsheng's trial. The person responsible for releasing this document is Liu Qing, editor of April Fifth Forum. After this allegedly unlawful "distribution of information," Mr. Liu was arrested. He was given no trial, but was eventually sentenced to three years at hard labor.

Liu has written and smuggled out of prison a document described in the following Washington Post (155) account by Michael Weisskopf.

PEKING, Sept. 14—A prominent Chinese dissident sentenced to hard labor at a prison camp has smuggled out an extraordinary manuscript that describes his odyssey through China's penal system as a nightmare of harsh interrogation, physical beatings and injustice.

The 196-page volume, entitled "Looking Back at a Dismal Past and Looking Forward: My Appeal to the Tribunal of the People," is the first personal account known to have leaked out of one of China's dreaded penal camps, where prisoners are sent to be "reformed through labor."

The memoir not only reveals the severe treatment meted out to young Chinese who call themselves democracy activists, but it also provides a rare glimpse into a shadowy system of justice and punishment where suspected criminals can be arrested and locked up without a

trial.

The writer, Liu Qing, 38, who helped found an unofficial magazine during the unusual democracy movement here two years ago, was arrested in November 1979 after distributing transcripts from the trial of another dissident leader, Wei Jingsheng.

Liu wrote in "Looking Back" that he was arrested, brusquely interrogated, thrown into solitary confinement for five months, locked in a Peking jail and finally sent to a penal farm—all without ever being indicted, tried or given a chance to prepare a defense.

A copy of "Looking Back" was obtained by The Washington Post in recent days. Reliable sources have authenticated the manuscript by comparing its calligraphy to earlier writings by Liu. Liu's friends within the democracy movement also have confirmed it is Liu's work.

Liu, a former technician, was

one of the first and most influential members of China's democracy movement, a tiny, loosely knit group of young workers and intellectuals who advocate greater freedom as a necessary condition before China can progress economically and socially.

Never much of a political force in this tightly controlled communist nation, the movement began to dissipate after Wei Jingsheng, the best known activist, was sentenced to 15 years in prison in October 1979 for "counterrevolutionary" behavior. Shortly afterward, the government banned wall posters from Democracy Wall, a brick fence in downtown Peking where most of the dissidents came to sell unofficial publications and meet with foreign correspondents.

Peking's old-line Marxist leaders who see the activists as reckless individualists whose views of "bourgeois liberalism" fracture the society and distract China from the task of

rebuilding its creaky economy.

Although several prominent dissidents including Liu were arrested in 1979, Peking authorities only began a systematic crackdown on dissent earlier this year. Since April, at least 25 unofficial magazine editors have been arrested, disappearing within China's penal system without trial.

A new criminal code was adopted in 1979 designed to protect Chinese citizens from the arbitrary arrests and persecution that occurred during the Cultural Revolution. The code guarantees an open trial to anyone accused of a crime.

But a major loophole opened in this highly touted new judicial system when a 1957 "reeducation through labor" regulation was revived and published nationwide in February 1980. It allows police to assign to labor camps certain people—ranging from "antisocialist elements" to hooligans—without court review.

In his manuscript, Liu says he was threatened with indefinite detention when he refused to talk about other dissidents. When he resisted a guard's order to bow his head and hold his crotch, he was beaten, gagged and handcuffed so tightly that his wrists were cut by the metal cuffs, he recounted in the manuscript.

The 15-square-yard cell in the Peking detention house, where he lived alone for five months with no more than a blanket was so cold and damp that his left side continually ached, he wrote. His hair fell out in clumps, and his eyesight deteriorated so badly he could not distinguish figures in a photograph.

Liu said he demanded his legal right to an indictment and trial, wrote three letters appealing his detention to Chinese court officers and argued with his jailers. But always, he got the stock reply: "Just admit your mistakes. Being obstinate will do you no good."

Not until nine months after his arrest was he given his sentence—three years in a central

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Waiting at the Peking Public Security Bureau where he planned to question the arrest of friends, Liu was given a warning by an officer: "Any time the Public Security Bureau makes arrests, it's legal. What's the significance of a few articles or speeches [by democracy activists]? At most, they will be published abroad. But, mind you, one slip and you could get 15 years [imprisonment], 15 years. Just remember 15 years of your life."

While at the station, he ended up being put on the defensive by interrogators who brought him into a small room and asked questions.

"Despite my numerous protests they treated me as if I was on trial. The form they chose to investigate this matter was more like a military court. So I made it very clear, 'If you want to try me through a military court, you must follow the normal procedure. I must have a courtroom indictment. Without this I refuse to answer. I made it very clear. Without legal procedures, to arrest people is against the law. I refuse to compromise with them.' They replied with authority: 'This is the place for dictatorship.' Now I finally realized who I was dealing with."

During an interrogation at the Peking detention home, "when I asked the first interrogator which public security regulation I had violated, he fumbled around for awhile and then said, 'Why are you so obstinate? Just admit your mistakes. Being obstinate will do you no good. We do not want to detain you even for a minute. It all depends on your attitude.'"

After spending several months in solitary confinement Liu realized the aftereffects: "One day I saw a great pile of hairs on my blanket. I walked over to the mirror on the door and saw I was bald on top. My left side was swollen and painful, possibly because of the coldness and dampness of the room and the long hours of crouching in my corner. My already severe nearsightedness deteriorated even further."

When interrogators proved their ability to monitor private conversation he had with his colleagues, Liu pondered, "This kind of surveillance made me think of a comparison between China and America. Nixon was a capable president, but because of Watergate he had to

China penal camp for distributing information (the court transcript) that his jailers said was designed to incite the public against the court for convicting his dissident friend.

The penal camp in Shanxi Province known as Lotus Flower Temple enclosed within its high walls and electrified barbed wire fence prisoners ranging from serious criminal

offenders to young workers who had a run in with police, he said. Most were required to lug huge rocks as their job.

At Lotus Flower camp, he began writing his memoir, apparently using the paper and pencils given to inmates for their self-criticisms. He managed to spirit out the manu-

Compromise'

leave the presidency and hide in San Clemente, Calif. The American people would not sacrifice this richest right [privacy] even to have a capable president. American people know that law will bring long time guarantees. If they allow one president to exceed the law, then everyone in the country faces danger."

"Man is responsible for history's advance. If he sees an injustice then lacks the courage to disclose it, there is no progress. The nation would be doomed if it just tolerated injustice without protest. China is not such a nation. There has been no lack of China's sons who have risked their lives to speak out in her darkest, most tyrannical hours."

"I swear, as soon as it is possible, I will expose their [interrogation] techniques," he wrote after an interrogation session. "You should never be cowardly toward the highhanded. The more timid you become, the more arbitrary they become."

"The public security people are really very funny. What they fear the most is procedures of the law."

Regarding efforts by the interrogators to get Liu to inform on his fellow dissidents: "Interrogators took a long time but received little information. They received a very bad harvest."

After he was moved from solitary confinement to a large cell, he said, "To me this is a great change. I'm really being promoted. This shows things are changing and they are starting a new policy of how to break me down [through kindness]."

At his first day at the Lotus Flower Temple camp he concluded, "To survive here was quite different. Labor was quite heavy. You had to carry big rocks. Some lighter work was done by older men trusted by the guards, but the new prisoners did all the heavy work."

"It would be very nice to go back to society," he wrote after interrogators offered him a chance to leave prison if he admitted his mistakes. "But if I have to repudiate my own views before an arbitrary power, I'd rather stay in prison for a lifetime."

script this summer with the help of a visitor who brought it to Peking where it was copied by other dissidents and selectively distributed.

"When you deal with the Public Security Bureau [China's police agency], there is no way to argue with reason," he wrote. "Therefore I want to appeal to society for help. I want everybody to know the truth

and have society intervene to stop these kinds of illegal actions. We have to let [the police] know they can't do any thing they want."

Liu's clash with the penal system began in 1979 when he decided to transcribe a tape recording of Wei Jingsheng's trial, mimeograph more than 1,000 copies and distribute them at Democracy Wall. On Nov. 9,

1979 he posted a notice on the wall announcing that transcripts would be sold two days later.

On Nov. 11, as hundreds of Chinese lined up for copies, police broke up the crowd, seizing the transcripts and arresting four people, according to Liu's manuscripts. Earlier that day, a friend told him, "The PSB is out, and you're the target."

Although Liu escaped the police roundup, he decided later to inquire about the arrests at the Peking Public Security Bureau. He questioned the reasons for the arrests and urged that his friends be released and the transcripts returned if there was no violation.

Instead, Liu said in his memoir, he was quickly put on the defensive. Taken into a tiny room, he was told to "get seated" on a small stool. Four interrogators took turns asking him where he got the tape recording of Wei's trial, which had been open only to special ticket holders.

When Liu refused to answer and asked to see an indictment before further interrogation, according to the memoir, his questioners pounded the table, shouted at him and demanded a reply. He was told the Public Security Bureau is "an organ of dictatorship" and he had to comply with their questions.

Finally Liu's interrogators left him alone, but another man stepped in the room and ominously shouted, "It is easy to come here, but not so easy to get away. Don't think you're so big. We have all kinds of ways to take care of you, little Liu Qing. You have to answer all our questions."

"I thought I had entered Anding [mental] Hospital," Liu wrote.

When he started to leave the interrogation room at midnight, he was stopped by guards. The next day, three officers entered his room, and he was told to rise. One of them read from a piece of paper with small type: Liu would be detained for 15 days for violating a public security regulation.

"Take him away," Liu recalled the chief officer saying.

For the next nine months, Liu was kept at the Peking detention house, locked up for the first 20 weeks in solitary confinement. His only company was a persistent, white-haired interrogator who pressed for information about the trial tape recording.

Ten days after being jailed, said the manuscript, Liu finally was told why he was being detained. By distributing the court transcripts at Democracy Wall, he had violated a 1949 law giving the official New China News Agency exclusive rights to report major news items.

"This just shows the truth of the old saying, 'There's always a way to incriminate someone,'" Liu remarked in his work.

When he continued to question the legal basis for his jailing and refused to cooperate with interrogators, Liu was warned, "We have many weapons in our arsenal. We can expose publicly what kind of man we are. You aren't faultless, are you? We could detail you indefinitely, as long as you wish."

Interrogators tried to break him down, he wrote, by repeating in minute detail private conversations he had with his colleagues before the arrest. Police also produced numerous photographs showing him with fellow activists.

Liu was asked how his magazine, April Fifth Forum, was organized. He was told to provide detailed information on other dissidents, including a written report on one well-known editor. He was questioned about the Joint Conference, a coordinating council of seven unofficial magazine editors set up in 1979 to help activists who ran afoul of the law. Liu was chairman of the group.

Interrogators tried to intimidate

him, Liu said, by reciting details of meetings he had with foreign correspondents including one session with an American reporter who later wrote an article juxtaposing the dissidents' views with those of former party chairman Hua Guofeng.

Styles of the interrogators varied, he recalled. Sometimes they softened, urging him to "admit your mistakes" so that he could be freed. One day he was presented a self-criticism to sign. He was told that his lack of cooperation reflected his antiparty, antisocialist sentiments.

"You are not one person, Liu Qing," he was instructed at one point. "You have influence and have involvement with people of many strata. If it was only a question of yourself, we could let you go. But now your matter is too big. Therefore you must admit your mistakes."

In early April he was moved from solitary confinement to a large cell with a dozen other prisoners. It was in a nearby cellblock that he refused to obey a guard's order to cup his lower abdomen with both hands and bow his head.

The punishment was a beating until he was black and blue, Liu said in his manuscript. Guards then handcuffed his hands behind his back, covered his face with a cloth mask that impaired breathing and put him in a much smaller cell.

In the new cell, he met an inmate who claimed to have seen Wei Jingsheng. The inmate said that Wei had been shut up in solitary confinement on Death Row instead of being taken to a labor camp as ordered by the court.

Not long after that conversation, while returning to his cell from the exercise yard, Liu spotted Wei. He said Wei looked pale, thin and tired. He was flanked by two guards escorting him to an interrogation session.

Another dissident, Zhang Wenhe, was at the detention center, said Liu. He was so defiant, according to the memoir, that guards kept him in handcuffs most of the time—at meals, while he slept and en route to the latrine. He also was beaten severely and covered by the cloth mask, said the author.

On July 21, 1980, two guards entered Liu's cell and told him to get ready to leave. He would serve a three-year sentence of "reeducation by labor" at the Lotus Flower Temple in Shanxi Province, a penal farm customarily reserved for long term convicts.

Lotus Flower Temple was home for different classes of prisoners, said Liu: common criminals, political prisoners and so-called forced labor inmates whose crimes were not considered as serious. Forced laborers and those undergoing reeducation are still considered citizens, whereas inmates being reformed by labor lose their rights as citizens.

Despite these distinctions, Liu noted in his manuscript, all inmates were treated the same.

Lotus Flower Temple included among its populace those suspected of serious crimes but sent there before evidence was ever compiled. There also are inmates who had committed minor infractions, such as a factory worker who had tried to crash his work unit's party without a ticket, who got in a fight and was sent to the police. He was given a two-year sentence at the camp.

At Lotus Flower Temple, Liu has concluded that "having a legal battle with the PSB is unwinnable." He describes himself as "a weak person now without any legal protection, no way to voice my appeal to society."

"The PSB has full power to do with me whatever it likes," he wrote. "They were ready for me. But I still want to fight until the day I can no longer fight."

The following review by Nicholas Robinson is reprinted in its entirety from Asiaweek, June 12, 1981.

Dissident Voices from China

THE FIFTH MODERNISATION: China's Human Rights Movement 1978-1979

Ed. by James D. Seymour
Human Rights Publishing Group, Conklin Hill Rd., Stanfordville, N.Y., U.S.A. 301 pages

That China experienced a burst of dissident public expression in late 1978 and early 1979 is widely known, but details of it available to the outside world have been sketchy at best — until now. Political scientist Seymour has provided, through *Fifth Modernisation*, the first full characterisation of what he labels China's "Human Rights Movement." His book, an anthology of the period's most cogent dissident tracts in translation, focuses on the topics of democracy and civil liberties while bringing in related issues raised by the dissidents: the country's economic development, its prison system and attitudes towards concepts like class struggle. As a work close in time to the period under scrutiny, *Fifth Modernisation* cannot be a definitive selection, but it succeeds in showing that democratic impulses — irrespective of their actual chances for realisation in China — have a powerful appeal to many Chinese.

By letting the dissidents speak for themselves through their unofficial publications and posters on Peking's "Democracy Wall," the book contributes a great deal to clearing up confusion about the movement. China's official line — that these dissidents are "misguided people who do not appreciate socialism" — falls before the arguments the activists put forward. The 69 tracts Seymour has collected demonstrate wide awareness of not only China but the rest of the world. There are occasional gaps in the writers' knowledge of Western political machinations, but never in their understanding of the inner workings of their own country.

At the same time, they aren't as a group proposing the adoption of Western political principles for China. The dissidents range from those who advocate democratic reforms within the capacity of the Chinese Communist Party, to those who believe communism is basically incompatible with democracy. It is the combination of the different systems along *socialist* lines, such as the Yugoslav model, that, however, appears to form the main thrust of their writings. Clearly, the dissidents are thinkers, with their own ideas and directions.

By virtue of the eloquence and comprehensiveness of their arguments, some dissidents have gained more attention than others. A prime example is Wei Jingsheng, 29, who is prominently featured in Seymour's anthology but may not necessarily be that popular or respected in China. His essays on de-



Peking's "Democracy Wall," 1979: Both revolutionary and reformist proposals

mocracy, history and civil rights indicate a strong pro-Western attitude and a propensity to reveal the "seamy" side of China. The authorities made an example of his trial for "counter-revolutionary" activities and used it to initiate a crackdown on the dissidents. Wei's steadfast attitude made him a hero to some; because he has been taken as a leader of the movement, his views, though the most extreme in Seymour's collection, help define the movement.

Wei rejects the communist system entirely. Referring to an ancient Chinese saying that "a cake in the picture can appease hunger," he states that as long as power is concentrated in the hands of the few, under the late Chairman Mao Tse-tung, Vice-Chairman Deng Xiaoping or anyone else, the government will continually need to present illusory promises to secure popular support. The Cultural Revolution between 1966 and 1976, the current modernisation programme and the various campaigns will come and go, but without the element of democratic power vested in the people — as it is in the "banner of mankind's democracy," as he describes the U.S. — they will always be "cakes in the picture" used by "political swindlers" to fool the people. Wei contends that the "fifth modernisation," a phrase he coined for democratic change, is the only way to enlist popular support for the government's "four modernisations" of industry, defence, science and technology. Wei's writings, in short, call for no less than revolutionary moves and view the West in glowing terms.

For perspective, the Wei essays can be compared to less radical stands such as those of "Peking Spring" writer Lu Min. The crux of his composition contained in

the Seymour collection deals with the need to maintain a standing army for national defence as well as the influence of the army's inordinate powers on the government bureaucracy. He says socialism calls for "elections conducted from the bottom up," but that until such time as "the victory of socialism is won in the same idea that attracted the dissidents' predecessors in the 1956-57 'Hundred Flowers' campaign arising after Mao's call for free criticism and free thought, and from the May Fourth Movement of 1919, the modern Chinese renaissance characterised by a formidable outpouring of intellectual energy. In many ways the differences — over timing, strategy and the proper mix of socialism — are side issues because having agreed on the need for democracy, the power of the idea is revealed. And in China, where mere ideas have pushed the world's most unwieldy and biggest nation into revolution, ideas must be taken seriously.

History may yet show that Seymour's collection catered to a fringe or *avant-garde* group, but careful students of China would do well to give the essays a thorough reading. The editor has produced a thought-provoking volume which is by far the best source yet for understanding the meaning of China's dissident movement. Seymour himself is a strong proponent of democratic ideals, but this need not be the reader's motivation for reading *Fifth Modernisation*. The dissidents whose voices come across in the book provide fresh insights into the workings of China. So infrequently is the outsider to China privileged to hear the Chinese people's candid opinions on the running of their country, that this glimpse of post-Mao China is a precious one indeed.

SPEAHRhead is published by the Society for the Protection of East Asians' Human Rights, a non-partisan international organization which seeks to advance the cause of human rights in China, Taiwan, Mongolia, North and South Korea, and among the Asian ethnic minorities in the Soviet Union.

We view the struggle to promote human rights as virtually synonymous with the struggle to promote non-violence. Our conception of non-violence is a broad one. It is as violent to permit people to starve as it is to torture them. It is as violent to imprison people because of their beliefs as it is to kidnap them for ransom.

We are confident that the best solutions to social and economic problems will emerge from within societies, once the various political groups interact non-violently--i.e., respect each other's human rights. We are convinced that ruling groups waste much of their nations' resources and human energy when they attempt to eliminate dissent. And when a particular social policy is adopted simply because its advocates enjoy the preponderance of force, there is no reason to believe that the policy is more desirable for the people affected than alternative policies would be.

Only when the issues are debated by a public with access to a range of ideas and information do we have some reason to hope that the more socially advantageous paths will be followed by those in authority. ✕

Roger Baldwin

A titan among the world's libertarians has left us. Roger Baldwin, who, for the better part of a century, had fought for human rights, died on August 26 at the age of 97.

We have always been pleased that he was such an enthusiastic member of SPEAHR's Board of Advisors. When originally nominated for the position, he enlivened the normally sterile acceptance form with penned remarks which included: "Of course!! More power to you."

His basic principle was that human rights work be must strictly non-partisan. "I have always felt that you have to defend people you dislike and fear as well as those you admire." But deep down, political outcasts were Baldwin's kind of people. "I am dead certain that human progress depends on rebels, dreamers and heretics. These have been my kin in spirit. Their 'holy discontent' has challenged established authority and created expanding visions which mankind may yet realize." ✕